

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 7 NUMBER 213

Washington, Thursday, October 29, 1942

The President

EXECUTIVE ORDER 9258

INSPECTION BY THE OFFICE OF PRICE ADMINISTRATION OF CORPORATION STATISTICAL TRANSCRIPT CARDS PREPARED FROM INCOME AND DECLARED VALUE EXCESS-PROFITS TAX RETURNS

By virtue of the authority vested in me by sections 55 (a) and 604 of the Internal Revenue Code (53 Stat. 29, 111), it is hereby ordered that corporation statistical transcript cards prepared by the Bureau of Internal Revenue from corporation income and declared value excess-profits tax returns made under the Internal Revenue Code, as amended, for any taxable year ending after June 30, 1941 and before July 1, 1942, shall be open to inspection by the Office of Price Administration; such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in the Treasury Decision relating to the inspection of such cards by the Office of Price Administration, approved by me this date.

This order shall be published in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 26, 1942.

[F. R. Doc. 42-10928; Filed, October 27, 1942;
2:52 p. m.]

EXECUTIVE ORDER 9259

AUTHORIZING THE CIVIL SERVICE COMMISSION TO CONFER A CLASSIFIED CIVIL-SERVICE STATUS ON CERTAIN GOVERNMENT EMPLOYEES

By virtue of the authority vested in me by section 1753 of the Revised Statutes of the United States (U.S.C., title 5, sec. 631) and by the Civil Service Act (22 Stat. 403), it is hereby ordered as follows:

In any case in which, on or after July 1, 1941, and prior to March 16, 1942, under the Civil Service Act and Rules, a perma-

nent employee serving under a duly authorized appointment in the executive branch of the Government without a classified (competitive) civil-service status, became eligible through appropriate open competitive civil-service examination for probational appointment to a position subject to the salary-advancement provisions of the act of August 1, 1941, c. 346, 55 Stat. 613, or Executive Order No. 8342 of August 1, 1941, at a salary lower than that which he was then receiving, but approval of such probational appointment by the Civil Service Commission was not obtained because reduction to such lower salary was not made, the Civil Service Commission is authorized, upon recommendation of the employing agency, (a) to approve such probational appointment (if made by the employing agency prior to March 16, 1942), or (b) to confer a classified (competitive) civil-service status on such excepted employee, retroactively, notwithstanding, in either case, that his salary was not reduced, except to the extent necessary to comply with the established maximum pay rate for the position in which such status is to be acquired.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 26, 1942.

[F. R. Doc. 42-10929; Filed, October 27, 1942;
2:54 p. m.]

Regulations

TITLE 7—AGRICULTURE

[Temporary Rationing Order B]

PART 2—RATIONING OF FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Pursuant to the authority vested in the Secretary of Agriculture by Administrative Order 28,¹ of the Office of Price Administration, issued September 15, 1942, it is hereby ordered, That:

¹ 7 F.R. 7326, 6673.

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

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Telephone information: DIstrict 0525.

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*7 F.R. 7301, 7768, 8575.

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| 2.111 | Effective date of Temporary Rationing Order B. |

AUTHORITY: §§ 2.101 to 2.111, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., War Production Board Directive 1, Supplemental Directive 1-K, 7 F.R. 562, 7280, Office of Price Administration Order 28, 7 F.R. 7326, 8672.

Definitions

§ 2.101 Definitions. When used in Temporary Rationing Order B:

(a) "Secretary" means the Secretary of Agriculture.

(b) "Special War Board Assistant" means the Special War Board Assistant to the Secretary of Agriculture.

(c) "State board" means the State U. S. D. A. War Board.

(d) "Manufacturer" means any person engaged, to whatever extent, in the business of making or assembling new farm machinery and equipment.

(e) "Distributor" means any person who accepts transfers of new farm machinery and equipment to the extent that such transfers are accepted for the purpose of resale other than for use.

(f) "Person" means any individual, partnership, corporation, association, or other organized group of "persons" and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(g) "Transfer" means any actual or purported act or transaction, whether or not evidenced by writing, the purpose, intent, or effect of which is to create, surrender, release, change, or alter, directly or indirectly, any right, title, possession, or interest with respect to any new farm machinery and equipment and, without limitation upon the foregoing, shall include the making, execution, or delivery of any bill of sale, chattel mortgage, receipt, agreement, contract, certificate, gift, loan, lease, sale, barter, or exchange, the creation or transfer of any lien, the issuance, docketing, filing, or the levy of or under any judgment, decree, attachment, execution, or other judicial process or order. The use by a dealer or manufacturer of new farm machinery and equipment in farming operations shall be deemed a transfer. "Transfer" shall also include delivery of any new farm machinery and equipment from any person to an agent or agency of such person or the delivery thereof to any person acting on behalf of such person.

(h) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), in-

cluding irrigation and drainage equipment (excluding tile), horseshoes (including mule-shoes), horseshoe nails, harness hardware and water well casing; but excluding repair parts, and also excluding all of the following: Tractor-laying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware.

(i) "New farm machinery and equipment" means all farm machinery and equipment, except farm machinery and equipment transferred for use prior to the effective date of this order.

Administration and Personnel

§ 2.102 *Administration and personnel.* The farm machinery and equipment rationing program established in this order shall be administered by the Special War Board Assistant and other officers and employees of the Department of Agriculture, subject to the supervision of the Secretary.

Restrictions

§ 2.103 *Restrictions on transfer of new farm machinery and equipment in Schedule I.* Regardless of the terms of any contract of sale or purchase or other commitment, whenever made, no person shall, after November 1, 1942, make a transfer or accept a transfer of any new farm machinery and equipment listed in Schedule I hereof. Physical movements of new farm machinery and equipment listed in Schedule I hereof by any person are prohibited, except as follows:

(a) Any person may physically move, without an accompanying transfer (or with an accompanying transfer for storage only), within a county new farm machinery and equipment listed in Schedule I hereof; new farm machinery and equipment listed in Schedule I hereof shall not be moved from one county into another county unless prior consent of the Special War Board Assistant is obtained.

(b) A carrier to which new farm machinery and equipment listed in Schedule I hereof has, prior to November 1, 1942, been delivered for shipment may deliver such new farm machinery and equipment to the consignee and such consignee may accept delivery.

§ 2.104 *Restrictions on transfer of new farm machinery and equipment in Schedule II.* Regardless of the terms of any contract of sale or purchase or other commitment, whenever made, no manufacturer or distributor shall make a transfer or accept a transfer, and no person shall accept a transfer from a manufacturer or distributor, of any new farm machinery and equipment listed in Schedule II hereof. Physical movements of new farm machinery and equipment listed in Schedule II hereof by manufacturers or distributors are prohibited except as follows:

(a) Any manufacturer or distributor may physically move, without an accompanying transfer (or with an accompanying transfer for storage only), within a county new farm machinery and equipment listed in Schedule II hereof; new farm machinery and equipment listed in Schedule II hereof shall not be moved by a manufacturer or distributor from one county into another county unless prior consent of the Special War Board Assistant is obtained.

(b) A carrier to which new farm machinery and equipment listed in Schedule II hereof consigned to or by a manufacturer or distributor has, prior to November 1, 1942, been delivered for shipment may deliver such new farm machinery and equipment to the consignee and such consignee may accept delivery.

Persons Authorized by the War Production Board to Acquire New Farm Machinery and Equipment

§ 2.105 *Government agencies; exports; non-farm use.* Any provision of this order to the contrary notwithstanding, any Federal agency desiring any new farm machinery and equipment, any person desiring to acquire any new farm machinery and equipment for export to and consumption or use in any foreign country, and any person desiring to acquire for non-farm use any new farm machinery and equipment may acquire such new farm machinery and equipment provided there is compliance with any and all applicable regulations of the War Production Board.

Appeals

§ 2.106 *Consideration by the Special War Board Assistant.* Any person who has good reason to believe that the operation of this order will result in exceptional hardship to him or will result in a material reduction in the production of crops or commodities essential to the war effort, may submit a statement of his case in writing to the county rationing committee (which is the committee established by § 2.4 of Temporary Rationing Order A) for the county in which he has his principal place of business or his residence. If there is no county rationing committee for such county, he may submit a statement of his case in writing to the State board for the State in which he has his principal place of business or his residence. The county rationing committee shall promptly forward the statement of the case with its recommendation and any additional information at its disposal concerning the case to the State board. The State board shall promptly forward the statement of the case with its recommendation and any additional information at its disposal concerning the case to the Special War Board Assistant. The Special War Board Assistant may thereupon take such action as he deems appropriate, including the authorization of transfers.

Records

§ 2.107 *Records to be kept by manufacturers, distributors, and others.* Each

manufacturer, distributor, or other person shall make such reports, including inventories, and furnish such information relative to farm machinery and equipment as may be required from time to time by the Secretary or the Special War Board Assistant.

Enforcement

§ 2.108 *Violations.* (a) Any person who violates any provision of this order or who falsifies records to be kept or information to be furnished pursuant to this order may be prohibited by administrative suspension order from receiving any delivery of, or selling, or otherwise disposing of, or using any materials now or hereafter authorized to be rationed or allocated by the Secretary. Such further action shall be taken as is appropriate, including recommendations for prosecution under section 35 (a) of the Criminal Code, under par. 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(b) The Special War Board Assistant may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or amendment thereof be denied the right to receive, use, sell, or otherwise dispose of any other materials now or hereafter under allocation.

Temporary Rationing Order A

§ 2.109 *Effect on Temporary Rationing Order A.* Temporary Rationing Order A, as amended, is modified and superseded by this order to the extent that any provision of Temporary Rationing Order A, as amended, is inconsistent with any provision of this order.

Application

§ 2.110 *Scope of order.* This Temporary Rationing Order B shall apply only within the limits of continental United States.

Effective Dates

§ 2.111 *Effective date of Temporary Rationing Order B.* This Temporary Rationing Order B (§§ 2.101 to 2.111, inclusive) shall become effective November 1, 1942.

Done at Washington, D. C., this 28th day of October 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

SCHEDULE I

PLANTING, SEEDING AND FERTILIZING MACHINERY

Planters, horse and tractor drawn
Two row, corn planters
Two row, corn and cotton planters
Three row and over, corn planters
Planters, tractor mounted
One row, corn planters
One row, corn and cotton planters
Two row, corn planters
Two row, corn and cotton planters
Three row and over, corn planters
Three row and over, corn and cotton planters

Potato planters, horse or tractor drawn
Transplanters, horse or tractor drawn
Listers with planting attachments, horse or tractor drawn
One row
Two row
Three row and over
Listers with planting attachments, tractor mounted
One row
Two row
Three row and over
Beet drills, horse or tractor drawn
Grain drills
One horse, 3 or 5 disc drills
Fertilizer drills, horse or tractor drawn
Plain drills, horse or tractor drawn
Fertilizer distributors, horse or tractor drawn
Lime spreaders (sowers)
Wheeled type horse or tractor drawn
Endgate type
Truck body type
Manure spreaders
Four wheeled, horse or tractor drawn
Two wheeled, tractor drawn

FLOW AND LISTERS

Moldboard plows, tractor drawn or mounted
One bottom, tractor drawn
Two bottom, tractor drawn
Three bottom, tractor drawn
Four bottom, tractor drawn
One bottom, tractor mounted
Two bottom, tractor mounted
Disc plows, tractor drawn or mounted
One disc, tractor drawn
Two disc, tractor drawn
Three disc, tractor drawn
One disc, tractor mounted
Two disc, tractor mounted
One way disc plows or tillers
Listers, horse or tractor drawn
(Middlebusters without planting attach.)
One row, horse or tractor drawn
Two row, horse or tractor drawn
Three row and larger, horse or tractor drawn
Listers, tractor mounted
(Middlebusters without planting attach.)
One row, tractor mounted
Two row, tractor mounted
Three row and larger, tractor mounted

HARROWS, ROLLERS, PULVERIZERS

Harrows
Spike tooth harrow sections, horse or tractor drawn
Spring tooth harrow sections, horse or tractor drawn
Disc harrows, horse or tractor drawn
Disc harrows, tractor mounted
Soil pulverizers and packers
Ridge busters
Ridge busters, horse or tractor drawn
Ridge busters, tractor mounted

CULTIVATORS AND WEEDERS

Cultivators, horse and tractor drawn
Beet cultivator
Field cultivator
Cultivators, tractor mounted
One row
Two row
Three and four row
Five row and over
Rotary hoes, horse or tractor drawn
Weeders
Rod weeders, horse or tractor drawn
Tooth weeders, horse or tractor drawn
SPRAYERS, DUSTERS AND ORCHARD HEATERS

Power sprayers, not including engines
Traction sprayers
Spray pumps, power
Dusters
Power dusters with tractor mounted dusters
Traction dusters

HARVESTING MACHINERY

Combines, harvester-threshers
Width of cut, 6 feet and under
Width of cut, over 6 feet, including 10 feet
Width of cut, over 10 feet
Grain and rice binders
Grain binders, ground drive
Grain binders, power take-off drive
Rice binders
Corn binders (row binder), horse or tractor drawn
Corn Pickers
One row, mounted type
Two row, mounted type
One row, pull type
Two row, pull type
Field ensilage harvesters, row type
Potato diggers
Walking plow type
Horse or tractor
Pea and bean harvesters, row type, horse or tractor
Beet lifters, horse or tractor

HAYING MACHINERY

Mowers, ground drive, horse or tractor drawn
Mowers, power take-off drive
Tractor mtd. or semi-mtd.
Rakes
Sulky, dump
Side delivery, incl. comb. side rakes and tedders
Hay loaders
Stackers (incl. comb. sweep stackers)
Pick-up hay balers

MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Stationary threshers (grain, rice and alfalfa)
Threshers, width of cylinder under 28 inches
Threshers, width of cylinder 28 inches and over
Stationary pea and bean threshers
Ensilage Cutters (silo fillers)
Feed cutters, power
Corn Shellers
Power corn shellers, cylinder (150 bu. & under)
Power corn shellers, cylinder (over 150 bu.)
Corn huskers and shredders
Combination corn husker-shredders
Corn huskers
Corn shredders
Stationary hay balers
Horse
Engine or belt power
Feed grinders and crushers
Power, burr type
Hammer and roughage mills
Cleaners and graders, corn and grain
Potato sorters and graders

FARM ELEVATORS AND BLOWERS

Elevators (portable)
Elevators (stationary)
Blowers (grain and forage)

TRACTORS

Tractors, wheel type
Tractors, wheel, special purpose, under 30 h. p.
Tractors, wheel, special purpose 30 & over h. p.
Tractors, wheel, all purpose, under 30 h. p.
Tractors, wheel, all purpose, 30 & over h. p.
Garden tractors (including motor tillers)

ENGINES

Engines, one or more but under 5 h. p.
Air cooled
Water cooled
Engines (five or more but under 10 h. p.)
Air cooled
Water cooled

FARM WAGONS AND TRUCKS

Wagons, farm without boxes
Trucks, farm (not motortrucks)

DOMESTIC WATER SYSTEMS

Deep well
Deep well, reciprocal
Deep well, jet pumps
Shallow well
250-499 gals. per hour
500 gals. per hour and over
Power pumps
Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure

FARM PUMPS AND WINDMILLS

Windmill pumps
Windmill heads
Windmill towers
Pump jacks

IRRIGATION EQUIPMENT

Irrigation pumps
Turbine pumps, 0 to 1,200 GPM
Turbine pumps, 1,200 GPM and up, belt driven
Centrifugal pumps
Hydraulic rams
Distribution equipment
Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines)
Portable pipe, extensions, and sprinklers

DAIRY FARM MACHINES AND EQUIPMENT

Milking machines
Farm cream separators, capacity 250 lbs. per hr. or less
Farm cream separators, capacity 251 lbs. to 800 lbs. per hour
Farm milk coolers
Immersion type
Surface or tubular type

SCHEDULE II

PLANTING, SEEDING AND FERTILIZING MACHINERY

Planters, horse and tractor drawn
One row, one horse corn planters
One row, one horse corn and cotton planters
One row, two horse corn and cotton planters
Transplanters
Hand
Broadcast Seeders
Wheeled, horse or tractor
Endgate
Hand, wheelbarrow and other
Garden Planters
Hand
Horse or tractor drawn
Other planting, seeding and fertilizing machinery except items listed in Schedule I and Schedule II

FLOW AND LISTERS

Moldboard Plows, horse drawn
Walking, one horse, steel bottom
Walking, one horse, chilled bottom
Walking, two horse and larger
Sulky
Gang, two bottom and larger
Disc Plows, horse drawn
Single disc and larger
Plow Stocks
Single or double stocks
Other plows and listers, except items listed in Schedule I and Schedule II

ROLLERS AND STALK CUTTERS

Smooth Land Rollers, not including lawn rollers
Stalk Cutters
Other rollers, except items listed in Schedule I and Schedule II

CULTIVATORS AND WEEDERS

Cultivators, horse drawn
One horse, all types
One row, walking, two horse
One row, riding, two horse
Two row and over, riding
Hand cultivator, not including blade and
tined hoes, rakes and similar equipment
Other cultivators and weeders, except items
listed in Schedule I and Schedule II

SPRAYERS, DUSTERS AND ORCHARD HEATERS

Hand Sprayers with tank, barrel, knapsack,
etc., with complete equipment (Cap. 1
qt. or over but less than 6 gals.)
Compressed air
Knapsack, self contained
Trombone, pump type
Bucket pump type, single cylinder
Bucket pump type, double cylinder
Atomizing, single action (1 qt. and larger
cap.)
Atomizing, continuous (1 qt. and larger
cap.)
Sprayers, with tank, barrel, knapsack, etc.,
with complete equipment (Cap. 6 gals.
or more)
Barrel pump type with complete equip-
ment
Wheelbarrow type with complete equip-
ment
Weed and Pear Burners
Dusters
Hand dusters (agricultural only)
Orchard Heaters

HARVESTING MACHINERY, EXCEPT ITEMS LISTED
IN SCHEDULE I HAYING MACHINERY, EXCEPT
ITEMS LISTED IN SCHEDULE I MACHINES FOR
PREPARING CROPS FOR MARKET USE

Corn Shellers, hand
Feed Grinders and Crushers, hand
Maple Sirup Evaporators
Complete sets of pans, not including fur-
nace
Furnaces
Cane Sirup Evaporators
Complete sets of pans, not including fur-
naces
Furnaces
Cane Mills, farm size
Cider Mills and Fruit Presses
Other machines for preparing crops for mar-
ket or use, except items listed in Schedule
I and Schedule II

FARM WAGONS AND TRUCKS

Wagon Bodies
Wagon and truck boxes, farm
Farm Sleighs
Sleighs and bob-sleds
Trailers, farm
Other farm transporting equipment (Not
motortrucks), except items listed in Sched-
ule I and Schedule II

FARM PUMPS

Pumps, water
Pitcher pumps
Hand pumps
Cylinders, for sale separately

DAIRY FARM MACHINES AND EQUIPMENT

Farm Butter Making Equipment
Butter churns
Butter molds
Other dairy farm machines and equipment,
except items listed in Schedule I and Sched-
ule II

BARN AND BARNYARD EQUIPMENT

Feed Carriers, Litter Carriers, and Feed Trucks
Feed carriers
Litter carriers
Track for feed and litter carriers
Feed trucks

Hay Unloading Equipment

Hay carriers
Track for hay carriers
Hay forks, harpoon and grapple
Pulleys and fittings
Cattle Stalls and Pen Equipment
Cattle Stalls and fittings
Livestock pens
Cattle Stanchions and fittings
Livestock Drinking Cups and Watering Bowls
Outside livestock watering bowls
Barnyard Stock Tanks and Hog Troughs
Feeders, Feed Cookers, and Tank Heaters
Livestock feeders
Feed Cookers
Tank heaters
Barn Door Track and Hangers
Other barn and barnyard equipment, except
items listed in Schedule I and Schedule II

FARM POULTRY EQUIPMENT

Incubators
Incubators, 1,000-egg capacity and smaller
Incubators, over 1,000-egg capacity
Floor Brooders
Oil
Coal
Gas
Wood
Electric
Battery Brooders, heated
Three deck and smaller, heated
Four deck, heated
Five deck, heated
Growing and Laying Batteries
Growing
Laying
Poultry Feeders
Poultry Waterers
Laying Nests and Grit Boxes
Other farm poultry equipment, except items
listed in Schedule I and Schedule II

MISCELLANEOUS FARM EQUIPMENT

Beekeepers' Supplies
Beekeepers' supplies (except bee hives)
Bee hives
Silos
Horse Shoes, including mule shoes
(Note.—Calks and nails are considered as
repairs.)

Harness Hardware
Power Sheep Shearing Machines
Electric Fence Controllers
Electric fence accessories
Farm Hand-Tools, including but not limited
to Hoes, Rakes, Forks, Scythes, Shovels
Farm Wood-Sawing Machines
Farm Gates
Farm Lighting Plants

IRRIGATION EQUIPMENT

Valves
Gates

ATTACHMENTS FOR ALL ITEMS IN SCHEDULE I
AND SCHEDULE II.

[F. R. Doc. 42-10954; Filed, October 28, 1942;
11:42 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VI—Organized Reserves

PART 61—OFFICERS' RESERVE CORPS

APPOINTMENT AND PROMOTION

Regulations pertaining to the Air Corps
Reserve, published in the FEDERAL REG-
ISTER on October 16, 1942, under § 61.23
are amended to show section number
§ 61.39 as follows:

§ 17 F.R. 8345.

§ 61.39 Air Corps Reserve; special
limitations relative to appointment and
promotion.

(41 Stat. 778; 55 Stat 723; 10 U.S.C. 354;
10 U.S.C. Sup. 484) [Par. 2, AR 140-23,
July 30, 1942]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-10332; Filed, October 27, 1942;
3:15 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 242]

PART 20—PILOT CERTIFICATES

COMMERCIAL PILOT CERTIFICATES FOR GRADU-
ATES OF AIRLINE TRANSITION COURSES

At a session of the Civil Aeronautics
Board held at its office in Washington,
D. C., on the 23d day of October 1942.

It appearing that:

Certain of the procedures required by
Part 20 of the Civil Air Regulations for
the original issuance of commercial pilot
certificates are impracticable and un-
necessary in the case of students com-
pleting certain combinations of courses
given under the Civilian Pilot Training
Program and by scheduled air carriers;
The Board finds that:

Its action is necessary to the successful
prosecution of the war effort;

Now, therefore, the Civil Aeronautics
Board, acting pursuant to sections 205
(a) and 602 of the Civil Aeronautics
Act of 1938, as amended, makes and pro-
mulgates the following special regula-
tion:

Notwithstanding the provisions of Part
20 of the Civil Air Regulations to the con-
trary for the duration of the present
war and not to exceed six months there-
after, a commercial pilot certificate with
proper ratings may be issued to pilots
who submit evidence of having satisfac-
torily complied with the provisions of
§§ 20.140 through 20.145, 20.147, 20.440,
20.442, and 20.443, and have not less than
150 hours of flight time, including an in-
strument flight course, accumulated in
courses under either the Civilian Pilot
Training Program or scheduled air car-
rier operator, and in addition shall suc-
cessfully have accomplished a transition
flight training course on multi-engine
equipment of not less than 10 hours as
follows:

A minimum of ten take-offs and land-
ings, of which at least three shall be at
night;

Take-offs and landings with various
loads and various positions of center of
gravity;

Landings with various flap settings;
Cross-wind landings;

Simulated power failure, including
single-engine approaches;

Single-engine climbing and circling;

Simulated instrument flight, including maneuvers on instruments, radio range flying, orientation;

Power on, power off stalls;

Demonstration of competence in cockpit procedure and ability to relieve the first pilot of routine responsibilities in connection with the handling of communications.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-10963; Filed October 28, 1942;
11:16 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5173]

PART 458—INSPECTION OF RETURNS

Regulations governing the inspection of corporation statistical transcript cards by the Office of Price Administration.

Pursuant to the provisions of sections 55 (a) and 603 of the Internal Revenue Code, corporation statistical transcript cards prepared by the Bureau of Internal Revenue from corporation income and declared value excess-profits tax returns made under the Internal Revenue Code, as amended, for any taxable year ending after June 30, 1941, and before July 1, 1942, may be open to inspection by the Office of Price Administration. The inspection of such transcript cards herein authorized may be made by any officer or employee of the Office of Price Administration duly authorized by the Administrator to make such inspection. Upon written notice by such Administrator to the Secretary of the Treasury giving the classes of corporations whose transcript cards it is desired to inspect, the Secretary and any officer or employee of the Treasury Department, with the approval of the Secretary, may furnish such Office of Price Administration with any data on such cards or may make the cards, or any of them, available in the office of the Commissioner of Internal Revenue for inspection and copying by the Office of Price Administration or by such examiners or agents as the Administrator thereof may designate. The information so obtained may be published or disclosed in statistical form providing such publication does not dis-

close, directly or indirectly, the name or address of any corporate taxpayer. (E.O. 9258, Oct. 26, 1942, and secs. 55 (a) and 603, 53 Stat. 29, 111; 26 U.S.C. 1940 ed., 55 (a), 603.)

[SEAL] H. MORGENTHAU, Jr.,
Secretary of the Treasury.

Approved: October 26, 1942.

FRANKLIN D ROOSEVELT
The White House.

[F. R. Doc. 42-10930; Filed, October 27, 1942;
2:52 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket Nos. A-1637 and A-1645]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT No. 3

ORDER GRANTING RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of Bruce Gabbert and District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters are herein consolidated.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I and R-IV, § 323.8 (*Special prices—(b) Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplement R-II and R-V, § 323.8 (*Special prices—(c) Rail-*

road fuel prices for movement via all lakes—all ports) is amended by adding thereto Supplement R-III and R-VI, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping point appearing in the aforesaid Supplement R-IV for Mine Index Nos. 136 and 1315 shall be effective in place of the shipping points heretofore established for those mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted to Bethlehem Steel Company (Mine Index Nos. 1367, 1368 and 1369) as requested by petitioner for the reasons set forth in an order severing that portion of Docket No. A-1645 which relates to them and designating such portion as Docket No. A-1645 Part II.

No relief is granted for the Quinn #2 Mine, Mine Index No. 430, of Thomas, Mullins, Steertz Coal Company as price classifications and minimum prices have previously been established for this mine in Docket No. A-1630.

No relief is granted for the Cleavenger Mine of Junior Mayle, as no code acceptance has been filed by this operator for this mine.

The price classifications and minimum prices set forth in the Schedules attached are based upon the price classifications and minimum prices in effect on October 1, 1942 for comparable and analogous coals and already reflect the changes made in minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21. The minimum prices in the attached Schedules do not differ, except in this regard, from the minimum prices proposed by petitioner.

Dated October 14, 1942.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classification, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 Alphabetical list of code members—Supplement R-I

(Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers)

| Mine index No. | Code member | Mine name | Locality | Shipping point | Railroad | Freight origin group No. | Size group Nos. | | | | | | | | | |
|----------------|-----------------------------------|---------------|------------|----------------------|-------------|--------------------------|-----------------|---|---|---|---|---|---|---|---|----|
| | | | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 933 | Gabbett Coal Co., (Bruce Gabbett) | Lemley | Pittsburgh | Morelandtown, W. Va. | Monongahela | 52 | F | F | F | F | F | F | F | F | F | F |
| 436 | Gabbett Coal Co., (Bruce Gabbett) | Lemley #1 (S) | Pittsburgh | Tice, W. Va. | Monongahela | 52 | F | F | F | F | F | F | F | F | F | F |
| 431 | Gabbett Coal Co., (Bruce Gabbett) | Ruth #1 | Pittsburgh | Morelandtown, W. Va. | Monongahela | 52 | F | F | F | F | F | F | F | F | F | F |
| 440 | Spiker, Albert | Spiker | Pittsburgh | Kingmont, W. Va. | Monongahela | 52 | F | F | F | F | F | F | F | F | F | F |
| 440 | Spiker, Albert | Spiker | Pittsburgh | Kingmont, W. Va. | Monongahela | 52 | F | F | F | F | F | F | F | F | F | F |

Indicates no classification effective for this size group.

*For River Shipments, mine with index No. 440 will take the same prices as mines with index numbers 42-54-100-106-113-119-121-127-130-132-1210-1220-1233 shown in § 323.8 (c) in Minimum Price Schedule for District No. 3.

For Ex-River Shipments, mine with index No. 440 will take the same prices as mines with index numbers 42-54-100-106-113-119-121-127-130-132-1210-1220-1233 shown in § 323.8 (c) in Minimum Price Schedule for District No. 3.

§ 323.8 Special prices (b) Railroad fuel prices for all movements except via lakes—Supplement R-II.

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule. Group No. 1: 431 (1), 436 (1), 440, 983 (1).

§ 323.6 Alphabetical list of code members—Supplement R-IV

(Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers)

| Mine index No. | Code member | Mine name | Locality | Shipping point | Railroad | Freight origin group No. | Size group Nos. | | | | | | | | | |
|----------------|------------------------------|--------------|------------|------------------------|-------------|--------------------------|-----------------|---|---|---|---|---|---|---|---|----|
| | | | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 159 | Reichman Edmund Coal Company | Scott #2 | Pittsburgh | Scott #2 Mine, W. Va. | Monongahela | 61 | F | F | F | F | F | F | F | F | F | F |
| 1316 | Reichman Edmund Coal Company | Blackburn #3 | Pittsburgh | Blackburn Mine, W. Va. | Monongahela | 61 | F | F | F | F | F | F | F | F | F | F |

NOTE: The above prices are applicable only via the respective Freight Origin Groups, shipping points, and Railroads shown for the respective mines. Freight Origin Groups, Shipping Points, and Railroads previously assigned to these mines are no longer applicable.

§ 323.8 Special prices—(b) Railroad fuel prices for all movements except via lakes—Supplement R-V.

For railroad fuel prices add these mine index numbers to the group set forth in § 323.8 (b) in Minimum Price Schedule. Group No. 1: 136, 1315.

FOR TRUCK SHIPMENTS

§ 323.23 General prices—Supplement T

[Prices in cents per net ton for shipment into all market areas]

| Code member index | Mine index No. | Mine | Seam | County | Size groups | | | | | | |
|---------------------------------------|----------------|------------------|---------------|-------------|--|--|---|-----------------------|---------------------|------------|-----|
| | | | | | Lump over 2', egg over 2', bottom size | Lump 2', egg 2', bottom size but over 1 1/2" | Lump 1 1/2" and under, egg 1 1/2" and under, bottom size 1 1/2" and under, pea 2' and under | Run of mine resultant | 1 1/4" and 2' slack | 3/4" slack | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | | | | | |
| Gabbert Coal Co. (Bruce Gabbert)..... | 436 | Lemley #1 (S)... | Pittsburgh... | Monon.... | 243 | 238 | 238 | 213 | 213 | 198 | 183 |
| Moore, C. F. | 432 | Moore's..... | Pittsburgh... | Taylor.... | 243 | 238 | 238 | 213 | 213 | 198 | 183 |
| Spiker, Albert..... | 440 | Spiker..... | Pittsburgh... | Harrison... | 243 | 238 | 238 | 213 | 213 | 198 | 183 |

[F. R. Doc. 42-10894; Filed, October 27, 1942; 10:55 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 132]

DSS FORM 15

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885), and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51¹ of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Discontinuance of DSS Form 15, effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

OCTOBER 24, 1942.

[F. R. Doc. 42-10931; Filed, October 27, 1942; 2:58 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment LV]

PART 802—GENERAL LICENSES

SHIPMENTS FROM CERTAIN EUROPEAN COUNTRIES

Section 802.9 *General intransit licenses*² is hereby amended by adding the following new paragraph:

* § 802.9 *General intransit licenses.*

¹ 6 F.R. 6834.² 7 F.R. 5004, 5509, 5745, 7167, 7429.

(e) In the case of a shipment originating in Portugal, Spain, Switzerland or Sweden, the use of the applicable General Intransit License is subject to the following regulations:

(1) A certificate of origin and interest covering the shipment, issued in Europe pursuant to directions of the Joint Anglo-American Blockade Committee, or a document covering the shipment, issued by a British Consular officer in the United States in replacement of the original certificate, must be presented to the Collector of Customs at the last port of exit from the United States.

(2) The name and address of the ultimate consignee, as shown by the shipping documents, must coincide with the name and address of the ultimate consignee as stated on the certificate of origin and interest, or as stated on the document issued by a British Consular officer in the United States amending or replacing the original certificate.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

A. N. ZIEGLER,
Acting Chief,
Export Control Branch,
Office of Exports.

OCTOBER 13, 1942.

[F. R. Doc. 42-10940; Filed, October 28, 1942; 9:46 a. m.]

[Amendment LVIII]

PART 804—INDIVIDUAL LICENSES

VALIDITY OF LICENSES

Paragraph (f) of § 804.1 *General provisions*¹ is hereby amended to read as follows:

* § 804.1 *General provisions.* * * *
(f) An individual license is valid for six months unless:

¹ 7 F.R. 5010, 7991, 8335.

(1) It is otherwise stated on the license, or (2) The license is sooner revoked, or (3) The license is extended by the Export Control Branch.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

A. N. ZIEGLER,
Acting Chief,
Export Control Branch,
Office of Exports.

OCTOBER 17, 1942.

[F. R. Doc. 42-10938; Filed, October 28, 1942; 9:45 a. m.]

[Amendment LVIII]

PART 804—INDIVIDUAL LICENSES

DIAMONDS AND DIAMOND TOOLS

Part 804—*Individual Licenses* is hereby amended by adding the following new section:

§ 804.13 *Diamonds and tools incorporating industrial diamonds.* When an individual license has been issued authorizing the exportation of any of the commodities listed hereafter in this section, the license and the package containing the licensed commodities must be presented to a Collector of Customs for examination prior to exportation even when exportation is to be made by mail. If the contents of the package agree as to weight and description with the data set forth on the license, the Collector will attach an appropriate Customs seal, indicating that the package has been inspected. If exportation is to be made by mail, the package shall then be placed in the mail under Customs supervision. If the contents of the package do not agree with the weight or description as set forth on the license, the Collector will return the package to the licensee, and the contents of the package shall not be exported from the United States unless a license authorizing exportation thereof is subsequently issued by the Export Control Branch. The list of commodities covered by the provisions of this section are as follows:

| Commodity | Dept. of Comm. No. |
|--|--------------------|
| Diamonds, industrial: | |
| Diamond dust, industrial..... | 5409.10 |
| Diamonds, industrial metal alloy, slugs containing..... | 7485.12 |
| Diamonds, rough, including crushing bort..... | 5901F |
| Diamonds, suitable for industrial use..... | 5990.05 |
| Tools (incorporating) industrial diamonds: | |
| Dies, diamond..... | 7455.03 |
| Drilling bits, diamond..... | 6178.91 |
| Glass cutters and similar articles, diamond..... | 6178.91 |
| Grinding wheels, diamond..... | 5409.05 |
| Saws, diamond..... | 6155.15, 6156.05 |
| Wheel dressers, diamond..... | 6178.91 |
| Non-metallic minerals: | |
| Precious stones, n. e. s., diamonds only..... | 5990.98 |
| Jewels and jewel bearings, industrial diamonds only..... | 5990.98 |

Commodity Dept. of Comm. No.
Jewelry:
 Jewelry of all metals when containing diamonds. 9620, 9621, 9623, 9626
 (Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

A. N. ZIEGLER,
Acting Chief,
Export Control Branch,
Office of Exports.

OCTOBER 14, 1942.

[F. R. Doc. 42-10939; Filed, October 23, 1942;
 9:45 a. m.]

[Amendment LVI]

PART 805—SELECTED DESTINATION
 CLEARANCE PROCEDURE

BLOCKADE CONTROL PERMIT

Section 805.5 *Blockade control permit*¹ is hereby amended in the following particulars:

1. Paragraph (a) is amended by adding to the list of destinations set forth therein the following:

Portuguese Atlantic Islands,
 Portuguese Guinea,
 Spanish Morocco and Tangier.

2. Paragraph (b) is amended by adding the requirement that blockade control permits be obtained covering exportations of all petroleum products to the following destinations:

Portuguese Atlantic Islands (all).
 Portuguese Guinea.
 Spanish Atlantic Islands.
 Spanish Morocco and Tangier.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

A. N. ZIEGLER,
Acting Chief,
Export Control Branch,
Office of Exports.

OCTOBER 14, 1942.

[F. R. Doc. 42-10941; Filed, October 23, 1942;
 9:46 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY
 [Supp. Dir. 1-J, Amended]

Section 903.11 *Supplementary Directive No. 1-J*, issued the 1st day of July 1942, is hereby amended to read as follows:

§ 903.11 *Supplementary Directive 1-J—Further delegation of authority with respect to rationing in Puerto Rico and the Virgin Islands.* (a) In order to permit the efficient rationing of all material in Puerto Rico and the Virgin Islands, the authority delegated to the Office of Price Administration by Directive No. 1 (§ 903.1)² is hereby extended to include the exercise of control over the sale, dis-

tribution and use of all materials in Puerto Rico and the Virgin Islands, except the acquisition or use thereof by or for the account of any of the persons or agencies designated in subparagraph (1) of paragraph (a) of said Directive No. 1. The authority delegated hereby shall include the power to impose restrictions on the use by, or delivery, transfer, sale, or other disposition by or to persons other than ultimate consumers, whether or not such restrictions are also made applicable to ultimate consumers. The exercise of such authority shall be subject to the terms and conditions specified in said Directive No. 1 and to the conditions hereinafter specified in this Supplementary Directive No. 1-J, and, in the case of exports, shall also be subject to the provisions of section 6 of the Act of July 2, 1940 (54 Stat. 714) and pertinent regulations issued thereunder.

(b) The authority of the Office of Price Administration under this Supplementary Directive No. 1-J shall include the power to regulate or prohibit the sale, transfer, delivery, distribution, or other disposition of any material to, or acquisition or use of all material by any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) As used in this Supplementary Directive No. 1-J, the term "materials" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(d) Neither this Supplementary Directive No. 1-J, nor any action taken hereunder by the Office of Price Administration, shall relieve any person from complying with the provisions of any order or regulation of the Director General for Operations applicable to Puerto Rico or the Virgin Islands.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 537, E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 571, 77th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10933; Filed, October 27, 1942;
 3:17 p. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 55]

HOUSING ACCOMMODATIONS OTHER THAN
 HOTELS AND ROOMING HOUSES
 ORLANDO DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Orlando Defense-Rental Area set out in § 1388.381 (a) of this Maximum Rent Regulation No. 55, as designated in the designation and rent declaration issued by the Administrator on April 28, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the Orlando Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Orlando Defense-Rental Area on or about October 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within the Orlando Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 55 is hereby issued.

AUTHORITY: §§ 1383.381 to 1383.394, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9259, 7 F.R. 7671.

§ 1388.381 *Scope of regulation.* (a) This Maximum Rent Regulation No. 55 applies to all housing accommodations within the Orlando Defense-Rental Area, consisting of the County of Orange in the State of Florida (referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1338.1201 to 1338.1235, inclusive) issued by the Administrator on April 23, 1942, as amended, except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;
 (2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

¹ 7 F.R. 5013.

² 7 F.R. 5043.

³ 7 F.R. 562.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.382 *Prohibition against higher than maximum rents.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 55 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) Notwithstanding any other provision of this Maximum Rent Regulation, where housing accommodations are heated with fuel oil the landlord of such accommodations may as hereinafter provided enter into an agreement with the tenant providing for payment by the tenant of part or all of the cost of changing the heating unit to use some fuel other than oil or of installing a new heating unit using some fuel other than oil. Prior to making such agreement, the landlord shall in writing report the terms of the proposed agreement to the Area Rent Office. The landlord may enter into the agreement either upon its approval by the Administrator or, unless the Administrator has disapproved the proposed agreement within 5 days after the filing of such report, upon the expiration of such 5-day period.

(c) Where a lease of housing accommodations was entered into prior to the effective date of this Maximum Rent Regulation and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this Maximum Rent Regulation, may be authorized to receive payments made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the Area Rent Office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the Act or this Maximum

Rent Regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of this Maximum Rent Regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this Maximum Rent Regulation: *Provided, however,* That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of § 1388.386 of this Maximum Rent Regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of this Maximum Rent Regulation, and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

§ 1388.383 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 55 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.385 (b) for approval of the decreased services. In all other cases except as provided in § 1388.385 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.384 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.385) shall be: (a) For housing accommodations rented on October 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on October 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on October 1, 1941 nor during the two months ending on that date, but

rented prior to the effective date of this Maximum Rent Regulation No. 55, the first rent for such accommodations after October 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.385 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after October 1, 1941 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.385 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between August 1, 1941 and such effective date, the first rent for such accommodations after the change or the effective date, as the case may be. Within 30 days after so renting the landlord shall register the accommodations as provided in § 1388.387. The Administrator may order a decrease in the maximum rent as provided in § 1388.385 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.385 (c).

(h) For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.385 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on October 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since October 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on October 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 55 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to October 1, 1941 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on October 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area

for comparable housing accommodations on October 1, 1941.

(5) There was in force on October 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941; or the housing accommodations were not rented on October 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to October 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), (e), or (g) of § 1388.384 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the

housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on October 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) of this section, the Ad-

ministrator may enter an interim order increasing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order upon such petition. The receipt by the landlord of any increased rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

(g) No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations not subject to an option to buy on October 1, 1941.

§ 1388.386 Restrictions on removal of tenant.

(a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 55; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommoda-

tions to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practically be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of this Maximum Rent Regulation, and seeks in good faith to recover possession of such accommodations for immediate use and occupancy as a dwelling for himself. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefore before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

(b) (1) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(2) Removal or eviction of a tenant for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of this Maximum Rent Regulation, is inconsistent with the purposes of the Act and this Maximum Rent Regulation and would be likely to result in the circumvention or evasion thereof, unless (1) the payment or payments of principal made by the purchaser, excluding any pay-

ments made from funds borrowed for the purpose of making such principal payments, aggregate 33⅓% or more of the purchase price, and (ii) a period of three months has elapsed after the issuance of a certificate by the Administrator as hereinafter provided. For the purposes of this paragraph (b) (2), the payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate. If the Administrator finds that the required payments of principal have been made, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law at the expiration of three months after the date of issuance of such certificate. In no other case shall the Administrator issue a certificate for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of this Maximum Rent Regulation, unless he finds that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without removal or eviction of the tenant, or unless he finds that other special hardship would result; under such circumstances the payment by the purchaser of 33⅓% of the purchase price shall not be a condition to the issuance of a certificate, and the certificate shall authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(d) (1) Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant. A written copy of such notice shall be given to the Area Rent Office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the Area Rent Office, stating the ground under this sec-

tion upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply where a certificate has been issued by the Administrator pursuant to the provisions of paragraph (b) of this section.

(2) At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the Area Rent Office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

§ 1388.387 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 55, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

The foregoing provisions of this section shall not apply to housing accommodations under § 1388.384 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area

and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.388 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.389 *Erasure.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 55 shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.390 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 55 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.391 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 55 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.392 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 55 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.393 *Definitions.* (a) When used in this Maximum Rent Regulation No. 55:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties

delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.394 *Effective date of the regulation.* This Maximum Rent Regulation

No. 55 (§§ 1388.381 to 1388.394, inclusive) shall become effective November 1, 1942.

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10913; Filed, October 27, 1942;
12:15 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 56A]

HOTELS AND ROOMING HOUSES

ORLANDO DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Orlando Defense-Rental Area set out in § 1388.431 (a) of this Maximum Rent Regulation No. 56A, as designated in the designation and rent declaration issued by the Administrator on April 28, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the Orlando Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Orlando Defense-Rental Area on or about October 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 56A for rooms in hotels and rooming houses within the Orlando Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 56A is hereby issued.

AUTHORITY: §§ 1388.431 to 1388.444, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1388.431 *Scope of regulation.* (a) This Maximum Rent Regulation No. 56A applies to all rooms in hotels and rooming houses within the Orlando Defense-Rental Area consisting of the County of Orange in the State of Florida (referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to

1388.1205, inclusive) issued by the Administrator on April 28, 1942, as amended, except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the

control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.432 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 56A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.433 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 56A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the

minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.435 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.435 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.434 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.435) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on October 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on October 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after October 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after October 1, 1941 for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941, as determined by the owner of such rooms: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.435 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The

landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

(f) For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation No. 56A by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.435 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on October 1, 1941, the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since October 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on October 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to October 1, 1941 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and

the rent during the thirty-day period ending on October 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941.

(5) There was in force on October 1, 1941 a written lease, which had been in force more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 56A, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941.

(2) There has been a substantial deterioration of the room other than ordi-

nary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on October 1, 1941.

§ 1388.436 Restrictions on removal of tenant. (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and condition are inconsistent with this Maximum Rent Regulation No. 56A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), the landlord shall file a written report on a form provided therefor before renting the room during a period of six months after such removal or eviction.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

(3) Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Departments.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.437 Registration and records. (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 56A every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date

of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.434 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented, or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under § 1388.434 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(e) Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (1) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room and (2) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under § 1388.434 (c).

Every landlord of an establishment containing more than 20 rooms rented or offered for rent shall keep, preserve, and make available for examination by the Administrator, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Administrator, records of the same kind as he has customarily kept relating to the rents received for rooms.

§ 1388.438 Inspection. Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time require.

§ 1388.439 Evasion. The maximum rents and other requirements provided in this Maximum Rent Regulation No. 56A shall not be evaded, either directly or indirectly, in connection with the renting, or leasing or the transfer of a lease of a room, by requiring the tenant

to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room or otherwise.

§ 1388.440 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 56A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.441 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 56A shall be filed with the Area Rent Office. All landlords' petitions and tenants' applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.442 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 56A may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.443 *Definitions.* (a) When used in this Maximum Rent Regulation No. 56A

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.444 *Effective date of the regulation.* This Maximum Rent Regulation No. 56A (§§ 1388.431 to 1388.444, inclusive) shall become effective November 1, 1942.

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10314; Filed, October 27, 1942; 12:15 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 174, Amendment 1]

FREIGHT CAR MATERIALS SOLD BY CAR BUILDERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

* Copies may be obtained from the Office of Price Administration.
17 F.R. 6601.

Subparagraph (2) of § 1390.57 (a) is amended and § 1390.59 is added as set forth below:

§ 1390.57 *Definitions.* (a) * * *

(2) "Freight car material" means any material which will ultimately be incorporated into the structure of a railroad freight car and which is sold by a car builder pursuant to Supplementary General Limitation Order No. L-97-a-1, as amended, issued by the War Production Board, but does not include sales by a car builder to a railroad of partially or wholly fabricated car parts, which are usually produced and sold in such form by a car builder, for the repair and maintenance of railroad freight and passenger cars.

§ 1390.59 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1390.57 (a) (2) and 1390.59) to Maximum Price Regulation No. 174 shall become effective November 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of October, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10315; Filed, October 27, 1942; 12:16 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rationing Order 3, Amendment 18¹]

SUGAR RATIONING REGULATIONS

Paragraph (b) of § 1407.181 is amended as set forth below:

Armed Forces of the United States; Certain Other Persons and Agencies

§ 1407.181 *Army and Navy personnel.*

* * * * *

(b) A person in the Army or Navy of the United States, on furlough status for at least seven days, shall, upon presenting his leave papers to any Board, receive from it a certificate in weight value equal to one-half pound for each week of such status. For the purposes of this paragraph a fraction of a week shall be deemed a week. The Board shall enter on the leave papers its designation, a statement that it has issued a certificate, and the date of issuance.

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(s) Amendment No. 18 (§ 1407.181 (b)) shall become effective November 2, 1942.

(Pub. Law 421, 77th Cong. W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965)

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10316; Filed, October 27, 1942; 12:16 p. m.]

¹ 7 F.R. 2368, 3242, 3763, 4545, 4618, 5193, 5361, 6024, 6473, 6823, 6337, 7229, 7455, 7321, 7510, 7557, 8402.

PART 1499—COMMODITIES AND SERVICES
[Order 67 Under § 1499.18 (b) of GMPR]
YOUNG'S MARKET CO.

Order No. 67 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF3-771.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.867 *Adjustment of maximum prices for processed and ground horse radish root manufactured by Young's Market Company.* (a) Young's Market Company of Los Angeles, California, and wholesalers may sell and deliver and any person may buy and receive from Young's Market Company and from wholesalers processed and ground horse radish root at prices not higher than those set forth below:

(1) *Young's Market Company.* The maximum prices established under § 1499.2 of the General Maximum Price Regulation plus 10¢ per gallon. This constitutes for Young's Market Company a new price of \$1.40 per gallon to wholesalers and a new price of \$1.60 per gallon to Applicant's other classes of purchasers.

(2) *Wholesalers.* The maximum prices established for the particular wholesaler under § 1499.2 of the General Maximum Price Regulation plus 10¢ per gallon: *Provided,* That, the new price so derived does not exceed a maximum of \$1.60 per gallon.

(b) No seller shall change his customary allowances, discounts or other price differentials, unless such change shall result in a lower price.

(c) Young's Market Company, before or while making each initial sale at these new maximum prices, shall notify its purchasers in writing of its new maximum prices and shall, in the case of sales to wholesalers, provide such wholesalers with printed or written notice to accompany each one gallon container sold to read as follows:

The sale at wholesale of this one gallon container of processed and ground horse radish root at a maximum price of \$1.60 is authorized by the Office of Price Administration by Order No. 67 issued October 27, 1942 under § 1499.18 (b) of the General Maximum Price Regulation

and shall inform such wholesalers of the provision in paragraph (d) below.

(d) Wholesalers, with each gallon of processed and ground horse radish root supplied by Young's Market Company at the new maximum prices, shall present to its purchasers along with an initial resale at new maximum prices the written notice provided by Young's Market Company in accordance with the provisions in paragraph (c) above.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 67 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 67 (§ 1499.867) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 67 (§ 1499.867) shall become effective October 28, 1942.
(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F. R. 7871)

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10917; Filed, October 27, 1942;
12:17 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 100 Under § 1499.18 (c) of GMPR]
CRIMSON COACH, INC.

Order No. 100 under § 1499.18 (c) of the General Maximum Price Regulation—Docket Number GF1-300-P.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.950 *Adjustment of maximum prices for "Double Check" chewing tobacco sold by Crimson Coach Incorporated.* (a) Crimson Coach Incorporated of 2224 Albion Street, Toledo, Ohio, may sell and deliver and any person may buy and receive from Crimson Coach Incorporated 3¼ ounce packages of "Double Check" chewing tobacco at prices not higher than those charged during March 1942, for 4 ounce packages of "Double Check" chewing tobacco, namely, \$17.28 per gross less discounts of 10% and 2%, f. o. b. destination.

(b) Wholesalers and retailers may sell and deliver and any person may buy and receive from wholesalers and retailers 3¼ ounce packages of "Double Check" chewing tobacco at prices not higher than those set forth below:

(1) The maximum prices established for the particular seller for 4 ounce packages of "Double Check" chewing tobacco, or

(2) If no maximum prices have been established for the particular seller for 4 ounce packages of "Double Check" chewing tobacco, such maximum prices as may be established for such seller under § 1499.2 of the General Maximum Price Regulation for 3¼ ounce packages of "Double Check" chewing tobacco.

(c) The adjustments granted to Crimson Coach Incorporated, wholesalers and retailers in paragraphs (a) and (b) are subject to the condition that for a period of three months after Crimson Coach Incorporated commences to sell 3¼ ounce packages of "Double Check" chewing tobacco, it shall mark each package with a notice or shall enclose in each package a notice as follows:

Sale of 3¼ ounce packages of this product at maximum prices established for any seller for 4 ounce packages is authorized by the Office of Price Administration by Order No. 100 under § 1499.18 (c) of the General Maximum Price Regulation issued October 27, 1942.

(d) This Order No. 100 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 100 (§ 1499.950) is hereby incorporated as a section of Supplementary Regulation No. 14 which con-

tains modifications of maximum prices established by § 1499.2.

(f) This Order No. 100 (§ 1499.950) shall become effective October 28, 1942.
(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F. R. 7871)

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10918; Filed, October 27, 1942;
12:16 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 109 Under § 1499.3 (b) of GMPR]
TYER RUBBER CO.

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 109.

On September 21, 1942, Tyer Rubber Company of Andover, Massachusetts, filed application with the Office of Price Administration seeking specific authorization pursuant to § 1499.3 (b) of the General Maximum Price Regulation to determine a maximum price for a ¼-ounce neoprene prophylaxis bulb and for instructions as to the method to be used in determining such price. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.973 *Authorization for Tyer Rubber Company to determine maximum price for a ¼-ounce neoprene prophylaxis bulb.* (a) The maximum price which may be charged for a ¼-ounce neoprene prophylaxis bulb by the Tyer Rubber Company, hereinafter called the "manufacturer", shall be the sum total of direct costs and gross margin determined in accordance with paragraphs (a), (b) and (c) of § 1315.1557 of Maximum Price Regulation No. 220—Certain Rubber Commodities.

(b) Tyer Rubber Company, in computing the maximum prices for sales to different classes of purchasers, shall adjust the amount established as the maximum price for one general class of purchasers to reflect all allowances, discounts, and other price differentials which it had in effect during March, 1942, for the commodity used as a basis for determining the maximum price of the ¼-ounce neoprene prophylaxis bulb.

(c) Within ten days after a maximum price has been determined in accordance with this order, Tyer Rubber Company shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by it. The report shall set forth a detailed explanation of the computation of direct costs and the maximum price. It shall also contain a description of the commodity which determines the bases and rates used in the

calculation of the gross margin of the 1/4-ounce neoprene prophylaxis bulb and the maximum price, direct costs, and an explanation of the reasons for the selection of that commodity.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Order No. 109 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 109 (§ 1499.973) shall become effective October 28, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10919; Filed, October 27, 1942;
12:17 p. m.]

PART 1340—FUEL

[RPS 88, Amendment 37]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Added: Subdivision (x) to § 1340.159 (c) (1).

§ 1340.159 Appendix A: Maximum prices for petroleum and petroleum products. * * *

(c) Specific prices—(1) Crude petroleum. * * *

(x) Northwestern Ohio and Northeastern Indiana; Lima Oil Field. The maximum price for crude petroleum produced in the Lima Oil Field, located in Northwestern Ohio and Northeastern Indiana, shall be \$1.50 a barrel at the receiving tank: *Provided*, That where the price paid for crude petroleum from a particular receiving tank in the Lima Oil Field as of October 1, 1941 exceeded \$1.50 a barrel, the maximum price at the same receiving tank shall be the price so paid or \$1.60 a barrel, whichever is the lower.

§ 1340.158a Effective dates of amendments. * * *

(kk) Amendment No. 37 (§§ 1340.159 (c) (1) (x) to Revised Price Schedule No. 88 shall become effective November 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10920; Filed, October 27, 1942;
2:29 p. m.]

*Copies may be obtained from the Office of Price Administration.

17 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478.

PART 1499—COMMODITIES AND SERVICES [Order 59 Under § 1499.18 (b) of GMPR]

W. P. FULLER AND CO.

Order 59 under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-110.

For the reasons set forth in an opinion* issued simultaneously herewith, it is ordered:

§ 1499.859 Adjustment of maximum prices for retailers and dealers buying and selling certain paint and varnish products manufactured by W. P. Fuller and Company, a California corporation, of 301 Mission Street, San Francisco, California. (a) On and after the effective date of this order, retailers and dealers may sell and deliver, and any person may buy and receive from such retailers and dealers, the products manufactured by W. P. Fuller and Company described in Appendix A, attached hereto and made a part hereof, at prices not in excess of those set forth as "R" (retail) prices in the said Appendix A: *Provided*, That nothing in this order shall be deemed to require the reduction of any prices.

(b) For maximum prices at which W. P. Fuller and Company may sell and deliver the products described in Appendix A hereof to retailers and dealers see

Order No. 10 under Maximum Price Regulation No. 183.

(c) All applicable discounts, terms and conditions of sale and other trade and freight practices in force for each retailer and dealer in March 1942 shall be maintained, unless the discontinuance or modification thereof results in a lower price.

(d) Within twenty (20) days of the effective date of this order W. P. Fuller and Company shall advise all persons selling its products, described in Appendix A hereof, of the terms of this order, and shall inform them of the maximum prices fixed for each such commodity.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 59 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 59 (§ 1499.859) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 59 (§ 1499.859) shall become effective November 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

APPENDIX A

| Material | Size | D | W | R | Cost to dir. purchasing under \$500 manufactured goods per yr. (W price less 12%) | Cost to dir. purchasing \$500 or more manufactured goods per yr. (W price less 12%) |
|---|----------------------------------|----------|----------|----------|---|---|
| Pioneer aluminum enamel..... | 15..... | \$3.33 | \$3.04 | \$5.03 | \$3.152 | \$3.014 |
| | 45..... | .03 | 1.13 | 1.43 | .012 | .804 |
| | 85..... | .04 | .04 | .81 | .017 | .49 |
| | 105..... | .03 | .03 | .50 | .015 | .233 |
| | 225..... | .00 | .24 | .34 | .104 | .184 |
| Fuller superdye bronco..... | 15..... | 1.50 | 1.76 | 2.50 | 1.421 | 1.345 |
| | 45..... | .00 | .03 | .83 | .476 | .451 |
| | 85..... | .01 | .03 | .59 | .251 | .275 |
| | 105..... | .02 | .03 | .37 | .21 | .169 |
| | 2 oz. bils..... | 1.39 dz. | 1.41 dz. | 1.17 ea. | 1.139 | 1.079 |
| | 1 oz. bils..... | .69 dz. | 1.00 dz. | .13 ea. | .836 | .811 |
| Fuller canvas dressing..... | 15..... | 1.35 | 1.03 | 2.25 | 1.234 | 1.216 |
| | 45..... | .42 | .42 | .70 | .356 | .375 |
| Fuller carbocide..... | Bulk..... | .05 gl. | .76 gl. | .01 gl. | .614 | .581 |
| (wood preservative)..... | 35..... | .76 gl. | .83 gl. | 1.03 gl. | .711 | .673 |
| | 15..... | .85 | 1.00 | 1.19 | .803 | .765 |
| Concrete..... | Dry..... | 2.60 gl. | 2.04 gl. | — | 2.374 | 2.249 |
| | 35..... | 2.60 gl. | 3.00 gl. | 3.50 gl. | 2.471 | 2.341 |
| | 15..... | 2.70 | 3.18 | 3.05 | 2.563 | 2.433 |
| | 45..... | .76 ea. | .83 ea. | 1.11 ea. | .719 | .681 |
| Superfine peach colors (ground in Japan) chrome green, Lt., med., and dk..... | In 1 lb. cans & 5 lb. pails..... | .71 | .84 | 1.00 | .673 | .643 |
| Fuller color 110: | | | | | | |
| Fluid consistency bulletin blue..... | 45..... | 1.71 | 2.01 | 2.45 | 1.623 | 1.533 |
| | 105..... | .44 | .72 | .83 | .42 | .393 |
| | 45..... | 1.15 | 1.82 | 2.22 | 1.47 | 1.392 |
| Prussian blue..... | 105..... | .43 | .71 | .82 | .412 | .39 |
| Ultramarine blue..... | 45..... | 1.47 | 1.73 | 2.11 | 1.337 | 1.323 |
| | 105..... | .42 | .49 | .60 | .356 | .375 |
| Burnt umber..... | 15..... | 2.62 | 3.44 | 4.21 | 2.778 | 2.632 |
| | 45..... | .63 | .83 | 1.29 | .791 | .75 |
| | 105..... | .25 | .29 | .35 | .224 | .222 |
| Raw umber..... | 15..... | 2.62 | 3.44 | 4.21 | 2.778 | 2.632 |
| | 45..... | .63 | .83 | 1.29 | .791 | .75 |
| | 105..... | .25 | .29 | .35 | .224 | .222 |
| Chr. green, lt. med., dk..... | 15..... | 3.16 | 6.07 | 7.53 | 4.662 | 4.644 |
| | 45..... | 1.09 | 1.64 | 1.79 | 1.321 | 1.256 |
| | 105..... | .60 | .82 | .82 | .839 | .821 |
| Stayfast green..... | 105..... | 1.20 | 1.41 | 1.63 | 1.139 | 1.079 |
| Bulletin stayfast..... | 15..... | 3.11 | 3.65 | 4.61 | 2.655 | 2.69 |
| | 45..... | .79 | .83 | 1.23 | .791 | .711 |
| Madder lake..... | 15..... | 12.75 | 15.64 | 18.25 | 12.145 | 11.556 |
| | 45..... | 3.31 | 3.89 | 4.73 | 3.141 | 2.576 |
| | 105..... | .79 | .83 | 1.13 | .791 | .711 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dlr. purchasing under \$500 manufactured goods per yr. (W price less 16/8%) | Cost to dlr. purchasing \$500 or more manufactured goods per yr. (W price less 16/10%) |
|---|----------|--------|--------|--------|---|--|
| Fuller color I/O: | | | | | | |
| Rose lake..... | 4s..... | \$2.19 | \$2.53 | \$3.17 | \$2.083 | \$1.974 |
| | 16s..... | .56 | .66 | .79 | .533 | .505 |
| Turkey red..... | 1s..... | 11.56 | 13.60 | 16.62 | 10.932 | 10.404 |
| | 4s..... | 2.99 | 3.52 | 4.27 | 2.842 | 2.693 |
| | 16s..... | .78 | .89 | 1.09 | .719 | .681 |
| Vermillion, American chr. yellow, lt., med., dk. | 16s..... | .45 | .53 | .64 | .423 | .405 |
| | 4s..... | 1.95 | 2.29 | 2.79 | 1.849 | 1.762 |
| | 16s..... | .54 | .64 | .77 | .49 | .47 |
| Golden ochre..... | 1s..... | 3.56 | 4.19 | 5.09 | 3.383 | 3.205 |
| | 4s..... | .99 | 1.16 | 1.41 | .837 | .807 |
| | 16s..... | .27 | .32 | .39 | .253 | .245 |
| Yellow ochre..... | 1s..... | 2.76 | 3.25 | 3.95 | 2.624 | 2.486 |
| | 4s..... | .79 | .93 | 1.12 | .751 | .711 |
| | 16s..... | .23 | .27 | .33 | .218 | .207 |
| Decorators' & ptrs' tbs.—40 oz.: | | | | | | |
| Ivory drop black..... | | .20 | .24 | .31 | .194 | .184 |
| Lampblack..... | | .20 | .24 | .31 | .194 | .184 |
| Bulletin blue..... | | .21 | .25 | .32 | .202 | .191 |
| Cobalt blue..... | | .21 | .25 | .32 | .202 | .191 |
| Prussian blue..... | | .21 | .25 | .32 | .202 | .191 |
| Stayfast blue..... | | .84 | .99 | 1.26 | .799 | .767 |
| Ultramarine blue..... | | .21 | .25 | .32 | .202 | .191 |
| Burnt sienna..... | | .20 | .24 | .31 | .194 | .184 |
| Raw sienna..... | | .20 | .24 | .31 | .194 | .184 |
| Vandyke brown..... | | .20 | .24 | .31 | .194 | .184 |
| Chr. green, lt., med., dk. | | .22 | .26 | .34 | .210 | .199 |
| Bulletin stayred..... | | .26 | .31 | .40 | .250 | .237 |
| Madder lake..... | | .34 | .40 | .51 | .323 | .306 |
| Venetian red..... | | .18 | .21 | .28 | .170 | .161 |
| Vermillion, American..... | | .22 | .26 | .32 | .210 | .199 |
| Green seal zinc..... | | .21 | .25 | .32 | .202 | .191 |
| Flake white..... | | .21 | .25 | .32 | .202 | .191 |
| Chr. yellow, lt., med., dk. | | .22 | .26 | .34 | .21 | .199 |
| Stayfast yellow..... | | .47 | .55 | .71 | .444 | .421 |
| Yellow ochre..... | | .18 | .21 | .23 | .17 | .161 |
| No. 2770 decoret..... | | .34 | .40 | .57 | .323 | .306 |
| Graining compound..... | 8s..... | 2.65 | 3.12 | 4.40 | 2.519 | 2.387 |
| No. 2832 Q. D. flat white..... | 4s..... | .75 | .83 | 1.27 | .711 | .673 |
| | 8s..... | .44 | .52 | .75 | .42 | .393 |
| | 16s..... | .26 | .31 | .47 | .25 | .237 |
| | 32s..... | .16 | .19 | .25 | .153 | .145 |
| Decoret screen, enamel No. 4363, brt. green..... | 4s..... | .75 | .83 | 1.10 | .711 | .673 |
| | 8s..... | .44 | .52 | .66 | .42 | .393 |
| | 16s..... | .26 | .31 | .38 | .25 | .237 |
| No. 4362 black..... | 4s..... | .65 | .65 | .86 | .625 | .497 |
| | 8s..... | .34 | .40 | .51 | .323 | .306 |
| | 16s..... | .21 | .25 | .33 | .202 | .191 |
| No. 3610 decoret white refrigerator enamel..... | 1s..... | 4.00 | 4.71 | 6.00 | 3.803 | 3.603 |
| | 4s..... | 1.03 | 1.27 | 1.76 | 1.026 | .972 |
| | 8s..... | .60 | .71 | .96 | .573 | .543 |
| | 16s..... | .34 | .40 | .59 | .323 | .306 |
| | 32s..... | .20 | .24 | .36 | .194 | .184 |
| Decoret varnish stain..... | 1s..... | 3.15 | 3.71 | 4.95 | 2.996 | 2.833 |
| | 4s..... | .91 | 1.07 | 1.42 | .864 | .819 |
| | 8s..... | .52 | .61 | .85 | .493 | .467 |
| | 16s..... | .32 | .33 | .52 | .307 | .291 |
| | 32s..... | .19 | .22 | .32 | .178 | .163 |
| Brown japan..... | 5s..... | 1.05 | 1.24 | 1.60 | 1.001 | .949 |
| | 1s..... | 1.15 | 1.35 | 1.75 | 1.09 | 1.033 |
| | 4s..... | .41 | .48 | .62 | .383 | .367 |
| | 8s..... | .27 | .32 | .41 | .253 | .245 |
| | 16s..... | .20 | .24 | .31 | .194 | .184 |
| House painters' pale japan..... | 5s..... | 1.75 | 2.05 | 2.65 | 1.663 | 1.576 |
| | 1s..... | 1.85 | 2.18 | 2.80 | 1.76 | 1.683 |
| | 4s..... | .59 | .69 | .89 | .557 | .523 |
| | 8s..... | .36 | .42 | .54 | .339 | .321 |
| | 16s..... | .24 | .28 | .37 | .226 | .214 |
| "B" engine en., aluminum..... | 4s..... | .94 | 1.11 | 1.55 | .896 | .849 |
| | 8s..... | .63 | .62 | .83 | .601 | .474 |
| | 16s..... | .31 | .36 | .52 | .291 | .275 |
| Fremier implement & truck en.: | | | | | | |
| 4680 black..... | 1s..... | 2.70 | 3.18 | 4.15 | 2.568 | 2.433 |
| | 4s..... | .76 | .89 | 1.24 | .710 | .681 |
| | 8s..... | .44 | .52 | .72 | .42 | .393 |
| 4654 lt. lead primer..... | | | | | | |
| 4657 medium blue..... | | | | | | |
| 4681 lt. green..... | 1s..... | 3.00 | 3.53 | 4.65 | 2.85 | 2.70 |
| 4684 blue gray..... | 4s..... | .83 | .98 | 1.37 | .791 | .75 |
| 4691 light yellow..... | 8s..... | .48 | .56 | .73 | .452 | .428 |
| 4699 white..... | | | | | | |
| 4660 orange..... | 1s..... | 3.25 | 3.82 | 4.95 | 3.035 | 2.922 |
| 4682 vermilion..... | 4s..... | .90 | 1.06 | 1.45 | .856 | .811 |
| | 8s..... | .51 | .60 | .85 | .485 | .459 |
| No. 2330 flat white undercoat (semi- paste)..... | 5s..... | 2.10 | 2.47 | 3.15 | 1.995 | 1.89 |
| | 1s..... | 2.20 | 2.59 | 3.30 | 2.091 | 1.981 |
| No. 4360 flat white undercoat..... | 5s..... | 1.70 | 2.00 | 2.60 | 1.615 | 1.53 |
| | 1s..... | 1.80 | 2.12 | 2.75 | 1.712 | 1.622 |
| | 4s..... | .53 | .62 | .89 | .601 | .474 |
| | 8s..... | .33 | .39 | .56 | .315 | .293 |
| | 16s..... | .21 | .25 | .36 | .202 | .191 |
| No. 3339 flat white undercoat..... | 5s..... | 2.20 | 2.59 | 3.30 | 2.091 | 1.981 |
| | 1s..... | 2.30 | 2.71 | 3.45 | 2.183 | 2.073 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dir. purchasing under \$500 manufactured goods per sq. ft. (W price has 15/10/25) | Cost to dir. purchasing \$500 or more manufactured goods per sq. ft. (W price has 15/10/25) |
|--|----------|--------|--------|--------|--|--|
| No. 3269 flat white undercoat..... | 15s..... | \$2.05 | \$2.41 | \$3.10 | \$1.845 | \$1.844 |
| No. 3692 flat ivory undercoat..... | 15s..... | 2.15 | 2.53 | 3.25 | 2.043 | 1.935 |
| No. 4410 crestoseal..... | 4s..... | .62 | .73 | 1.04 | .350 | .353 |
| Enamel undercoat..... | 8s..... | .37 | .44 | .62 | .325 | .337 |
| Fullerwear quick drying floor en.:..... | 10s..... | .23 | .27 | .39 | .218 | .237 |
| 3426 cruise blue..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3427 court green..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3428 valencia tile..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3429 dover gray..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3431 patio gray..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3432 sand dune..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3433 linoleum brown..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3435 fawn..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3446 dark oak..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3447 indian red..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| 3454 white..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| Fuller glazing and blending liquid..... | 4s..... | 2.05 | 3.12 | 4.00 | 2.519 | 2.337 |
| Pure prepared paint outside gloss white regular colors..... | 15s..... | 2.75 | 3.24 | 4.15 | 2.616 | 2.459 |
| 130 brilliant green..... | 4s..... | .81 | .95 | 1.22 | .367 | .377 |
| 178 white primer..... | 8s..... | .47 | .55 | .71 | .244 | .241 |
| 180 buff primer..... | 15s..... | 2.60 | 3.05 | 3.45 | 2.471 | 2.341 |
| 179 gray primer..... | 15s..... | 2.70 | 3.18 | 3.45 | 2.573 | 2.433 |
| 180 buff primer..... | 4s..... | .70 | .89 | 1.10 | .219 | .231 |
| Medal mixed paint outside white, regular colors..... | 8s..... | .44 | .52 | .75 | .233 | .233 |
| 2230 brilliant green..... | 15s..... | 2.05 | 3.47 | 4.05 | 2.822 | 2.635 |
| 178 white primer..... | 4s..... | .82 | .95 | 1.20 | .375 | .374 |
| 180 buff primer..... | 8s..... | .47 | .55 | .71 | .244 | .241 |
| 179 gray primer..... | 15s..... | 2.60 | 3.05 | 3.45 | 2.471 | 2.341 |
| 180 buff primer..... | 15s..... | 2.70 | 3.18 | 3.45 | 2.573 | 2.433 |
| Medal mixed paint outside white, regular colors..... | 4s..... | .70 | .89 | 1.10 | .219 | .231 |
| 2230 brilliant green..... | 8s..... | .44 | .52 | .75 | .233 | .233 |
| Comet cottage & bungalow pt.:..... | 10s..... | .22 | .26 | .34 | .21 | .199 |
| C-1W inside white..... | 15s..... | 2.05 | 2.35 | 2.69 | 1.833 | 1.763 |
| C-O-W outside white..... | 15s..... | 2.10 | 2.47 | 3.00 | 1.935 | 1.89 |
| C-06 french gray..... | 4s..... | .61 | .72 | .92 | .351 | .351 |
| C-30 brilliant green..... | 8s..... | .37 | .44 | .65 | .325 | .337 |
| C-52 french yellow..... | 10s..... | .23 | .27 | .39 | .218 | .237 |
| C-56 black..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| C-89 brown..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| C-77 colonial ivory..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| C-80 Nile green..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| C-93 light pearl..... | 15s..... | 2.70 | 3.18 | 3.85 | 2.573 | 2.349 |
| Rustic & shingle finish: | | | | | | |
| 541 white..... | 15s..... | 2.40 | 2.82 | 3.05 | 2.577 | 2.157 |
| 542 rustic gray..... | 15s..... | 2.70 | 3.18 | 3.75 | 2.574 | 2.219 |
| 543 rustic brown..... | 15s..... | 2.70 | 3.18 | 3.75 | 2.574 | 2.219 |
| 544 tile red..... | 15s..... | 2.70 | 3.18 | 3.75 | 2.574 | 2.219 |
| 545 brilliant red..... | 15s..... | 2.70 | 3.18 | 3.75 | 2.574 | 2.219 |
| 546 permanent green..... | 15s..... | 2.70 | 3.18 | 3.75 | 2.574 | 2.219 |
| Porch and deck paint..... | 15s..... | 2.75 | 3.24 | 3.89 | 2.616 | 2.459 |
| Conqueror paint and varnish remover..... | 4s..... | .77 | .91 | 1.25 | .355 | .355 |
| 7257 paste remover..... | 15s..... | 1.50 | 1.73 | 1.95 | 1.235 | 1.17 |
| Barn and roof paint: | | | | | | |
| 2252 moss green..... | 15s..... | 1.40 | 1.65 | 2.10 | 1.332 | 1.222 |
| 2253 light green..... | 15s..... | 1.40 | 1.65 | 2.10 | 1.332 | 1.222 |
| 2255 brick red..... | 15s..... | 1.40 | 1.65 | 2.10 | 1.332 | 1.222 |
| 2257 metallic..... | 15s..... | 1.40 | 1.65 | 2.10 | 1.332 | 1.222 |
| Penetrating stains: | | | | | | |
| 4353 walnut..... | 15s..... | 2.25 | 2.70 | 3.70 | 2.220 | 2.111 |
| 5357 mahogany..... | 15s..... | 2.25 | 2.70 | 3.70 | 2.220 | 2.111 |
| Pioneer shingle stain: | | | | | | |
| 15 pearl gray..... | 15s..... | 1.45 | 1.71 | 2.15 | 1.331 | 1.233 |
| 8 silver gray..... | 15s..... | 1.45 | 1.71 | 2.15 | 1.331 | 1.233 |
| 0 moss green..... | 15s..... | 1.45 | 1.71 | 2.15 | 1.331 | 1.233 |
| 6 light green..... | 15s..... | 1.45 | 1.71 | 2.15 | 1.331 | 1.233 |
| 2 dark green..... | 15s..... | 1.45 | 1.71 | 2.15 | 1.331 | 1.233 |
| 1 med. green..... | 15s..... | 1.45 | 1.71 | 2.15 | 1.331 | 1.233 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dr. purchasing under \$500 manufac- tured goods per yr. (W price less 15/5%) | Cost to dr. purchasing \$500 or more manufac- tured goods per yr. (W price less 15/10%) |
|---|------------|--------|--------|--------|---|--|
| Pioneer shingle stain—Continued. | | | | | | |
| 4 red..... | Bbbls..... | \$1.05 | \$1.24 | | \$1.001 | \$0.949 |
| 5 dark brown..... | 5s..... | 1.15 | 1.35 | \$1.70 | 1.09 | 1.033 |
| Black..... | 1s..... | 1.25 | 1.47 | 1.80 | 1.187 | 1.125 |
| 8-524 traffic line lacquer thinner..... | 5s..... | 1.15 | 1.35 | 1.60 | 1.09 | 1.033 |
| | 1s..... | 1.25 | 1.47 | 1.75 | 1.187 | 1.125 |
| Traffic line paint..... | 5s..... | 2.30 | 2.71 | 3.30 | 2.188 | 2.073 |
| | 1s..... | 2.40 | 2.82 | 3.40 | 2.277 | 2.167 |
| | 4s..... | .63 | .80 | .95 | .646 | .612 |
| Fullerspar..... | 5s..... | 3.90 | 4.59 | 6.50 | 3.706 | 3.511 |
| | 1s..... | 4.00 | 4.71 | 6.65 | 3.803 | 3.603 |
| | 2s..... | | | | | |
| | 4s..... | 1.12 | 1.32 | 1.87 | 1.066 | 1.01 |
| | 8s..... | .62 | .73 | 1.04 | .589 | .558 |
| | 16s..... | .37 | .44 | .62 | .355 | .337 |
| Flexor rubbing & polishing varnish..... | 5s..... | 3.00 | 3.53 | 5.00 | 2.85 | 2.70 |
| | 1s..... | 3.10 | 3.65 | 5.15 | 2.947 | 2.792 |
| | 4s..... | .90 | 1.06 | 1.50 | .856 | .811 |
| | 8s..... | .51 | .60 | .85 | .485 | .459 |
| | 16s..... | .32 | .38 | .54 | .307 | .291 |
| Lin-Bar..... | 5s..... | 2.75 | 3.24 | 4.25 | 2.616 | 2.479 |
| | 1s..... | 2.85 | 3.35 | 4.40 | 2.705 | 2.563 |
| | 2s..... | | | | | |
| | 4s..... | .84 | .99 | 1.30 | .789 | .757 |
| | 8s..... | .45 | .56 | .75 | .452 | .428 |
| | 16s..... | .30 | .35 | .46 | .283 | .263 |
| Satinflat..... | 5s..... | 3.00 | 3.53 | 5.00 | 2.85 | 2.70 |
| | 1s..... | 3.10 | 3.65 | 5.15 | 2.947 | 2.792 |
| | 4s..... | .90 | 1.06 | 1.50 | .856 | .811 |
| | 8s..... | .51 | .60 | .85 | .485 | .459 |
| | 16s..... | .32 | .38 | .54 | .307 | .291 |
| Speedflat varnish..... | 5s..... | 3.00 | 3.53 | 5.00 | 2.85 | 2.70 |
| | 1s..... | 3.10 | 3.65 | 5.15 | 2.947 | 2.792 |
| | 4s..... | .90 | 1.06 | 1.50 | .856 | .811 |
| | 8s..... | .51 | .60 | .85 | .485 | .459 |
| | 16s..... | .32 | .38 | .54 | .307 | .291 |
| Speedite varnish..... | 5s..... | 3.00 | 3.53 | 5.00 | 2.85 | 2.70 |
| | 1s..... | 3.10 | 3.65 | 5.15 | 2.947 | 2.792 |
| | 2s..... | | | | | |
| | 4s..... | .90 | 1.06 | 1.50 | .856 | .811 |
| | 8s..... | .51 | .60 | .85 | .485 | .459 |
| | 16s..... | .32 | .38 | .54 | .307 | .291 |
| Utility finish..... | 5s..... | 2.05 | 2.41 | 3.45 | 1.946 | 1.844 |
| | 1s..... | 2.15 | 2.53 | 3.60 | 2.043 | 1.935 |
| | 4s..... | .66 | .78 | 1.12 | .63 | .597 |
| | 8s..... | .39 | .46 | .65 | .371 | .352 |
| | 16s..... | .25 | .31 | .44 | .25 | .237 |
| Mixokay varnish..... | 5s..... | 2.15 | 2.53 | 3.25 | 2.043 | 1.935 |
| | 1s..... | 2.25 | 2.65 | 3.40 | 2.14 | 2.027 |
| | 4s..... | .69 | .81 | 1.04 | .654 | .620 |
| | 8s..... | .41 | .48 | .62 | .388 | .367 |
| Namesmix..... | 5s..... | 1.85 | 2.18 | 2.60 | 1.760 | 1.668 |
| | 1s..... | 1.95 | 2.29 | 2.75 | 1.849 | 1.752 |
| No. 700 mixing size..... | 5s..... | 1.75 | 2.06 | 2.65 | 1.663 | 1.576 |
| | 1s..... | 1.85 | 2.18 | 2.80 | 1.760 | 1.668 |
| | 4s..... | .69 | .69 | .90 | .557 | .523 |
| | 8s..... | .36 | .42 | .53 | .339 | .321 |
| Fullerglo semigloss finish..... | Drs..... | 2.40 | 2.82 | | 2.277 | 2.157 |
| | 5s..... | 2.50 | 2.94 | 3.80 | 2.374 | 2.249 |
| | 1s..... | 2.60 | 3.06 | 3.90 | 2.471 | 2.341 |
| | 2s..... | | | | | |
| | 4s..... | .73 | .86 | 1.19 | .694 | .658 |
| | 8s..... | .43 | .51 | .72 | .412 | .390 |
| | 16s..... | .26 | .31 | .46 | .250 | .237 |
| 2859 White stippling paste, semi-gloss..... | Drs..... | 2.40 | 2.82 | | 2.277 | 2.157 |
| | 5s..... | 2.50 | 2.94 | 3.80 | 2.374 | 2.249 |
| | 1s..... | 2.60 | 3.06 | 3.90 | 2.471 | 2.341 |
| | 4s..... | .73 | .86 | 1.19 | .694 | .658 |
| Ful-gloss finish..... | Drs..... | 2.45 | 2.88 | | 2.326 | 2.203 |
| | 5s..... | 2.55 | 3.00 | 3.85 | 2.423 | 2.295 |
| | 1s..... | 2.65 | 3.12 | 4.00 | 2.519 | 2.387 |
| | 4s..... | .75 | .88 | 1.24 | .711 | .673 |
| | 8s..... | .44 | .52 | .73 | .420 | .393 |
| No. 4255 pigment wallseal..... | Drs..... | 1.75 | 2.06 | | 1.663 | 1.576 |
| | 5s..... | 1.85 | 2.18 | 2.60 | 1.760 | 1.668 |
| | 1s..... | 1.95 | 2.29 | 2.75 | 1.849 | 1.752 |
| | 4s..... | .67 | .67 | .81 | .541 | .513 |
| Stippling paste—White: | | | | | | |
| 3391 flat..... | 5s..... | 1.75 | 2.06 | 2.60 | 1.663 | 1.576 |
| 4107 semigloss..... | 1s..... | 1.85 | 2.18 | 2.75 | 1.760 | 1.668 |
| Soft Lite..... | Drs..... | 1.75 | 2.06 | | 1.663 | 1.576 |
| | 5s..... | 1.85 | 2.18 | 2.85 | 1.76 | 1.663 |
| | 1s..... | 1.95 | 2.29 | 2.95 | 1.849 | 1.752 |
| | 4s..... | .67 | .67 | .86 | .641 | .613 |
| Hi-Heat Ful-lumina..... | 5s..... | 3.10 | 3.65 | 4.45 | 2.947 | 2.792 |
| | 1s..... | 3.20 | 3.76 | 4.60 | 3.036 | 2.876 |
| | 4s..... | 1.14 | 1.34 | 1.63 | 1.082 | 1.025 |
| | 8s..... | .67 | .79 | .96 | .638 | .604 |
| Ful-lumina..... | 5s..... | 3.10 | 3.65 | 4.45 | 2.947 | 2.792 |
| | 1s..... | 3.20 | 3.76 | 4.60 | 3.036 | 2.876 |
| | 4s..... | 1.14 | 1.34 | 1.63 | 1.082 | 1.025 |
| | 8s..... | .67 | .79 | .96 | .638 | .604 |
| Ful-lumina paint liquid..... | Bulk..... | 1.80 | 2.12 | | 1.712 | 1.622 |
| | 5s..... | 1.90 | 2.24 | 2.50 | 1.809 | 1.714 |
| | 1s..... | 2.00 | 2.35 | 2.65 | 1.898 | 1.793 |
| Asphalt base ful-lumina..... | 5s..... | 3.10 | 3.65 | 4.45 | 2.947 | 2.792 |
| | 1s..... | 3.20 | 3.76 | 4.60 | 3.036 | 2.876 |
| | 4s..... | 1.14 | 1.34 | 1.63 | 1.082 | 1.025 |
| | 8s..... | .67 | .79 | .96 | .638 | .604 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dir. purchasing under \$500 manufactured goods per yr. (W price less 15/10%) | Cost to dir. purchasing \$500 or more manufactured goods per yr. (W price less 15/10%) |
|---|-----------|--------|--------|--------|---|---|
| Asphalt base fullumina liquid..... | Bulk..... | \$1.89 | \$2.12 | | \$1.712 | \$1.622 |
| | Gs..... | 1.99 | 2.24 | \$2.50 | 1.829 | 1.714 |
| | Is..... | 2.09 | 2.35 | 2.05 | 1.833 | 1.733 |
| No. 5839 Fullerite Enamel..... | Drs..... | 2.69 | 3.03 | | 2.471 | 2.341 |
| | Gs..... | 2.70 | 3.18 | 4.10 | 2.503 | 2.433 |
| | Is..... | 2.89 | 3.23 | 4.25 | 2.537 | 2.517 |
| | Es..... | .78 | .92 | 1.29 | .743 | .704 |
| | Es..... | .45 | .63 | .67 | .423 | .403 |
| No. 5900 Eggshell Fullerite..... | Drs..... | 2.39 | 2.71 | | 2.193 | 2.073 |
| | Gs..... | 2.49 | 2.82 | 3.05 | 2.277 | 2.157 |
| | Is..... | 2.59 | 2.94 | 3.50 | 2.374 | 2.249 |
| No. 5901 Fullerite Enamel..... | Drs..... | 3.25 | 4.18 | | 3.375 | 3.153 |
| | Gs..... | 3.65 | 4.59 | 5.50 | 3.424 | 3.232 |
| | Is..... | 3.75 | 4.41 | 5.05 | 3.561 | 3.374 |
| No. 5888 Fullerite Primer..... | Drs..... | 2.59 | 2.94 | | 2.374 | 2.249 |
| | Gs..... | 2.69 | 3.05 | 3.05 | 2.471 | 2.341 |
| | Is..... | 2.79 | 3.18 | 4.10 | 2.503 | 2.433 |
| No. 7211 carbonox gray..... | Is..... | 3.15 | 3.71 | | 2.995 | 2.833 |
| No. 7212 carbonox brown..... | Is..... | 3.09 | 3.53 | | 2.85 | 2.70 |
| No. 7208 carbonox battleship gray..... | Is..... | 2.49 | 2.82 | | 2.277 | 2.157 |
| No. 7209 carbonox carbon-green..... | Is..... | 2.19 | 2.47 | | 1.995 | 1.89 |
| No. 7214 carbonox black..... | Is..... | 2.19 | 2.47 | | 1.995 | 1.89 |
| No. 7215 carbonox iron brown..... | Is..... | 2.49 | 2.82 | | 2.277 | 2.157 |
| No. 7216 carbonox white..... | Is..... | 2.79 | 3.18 | | 2.503 | 2.433 |
| No. 4051 red oxide zinc chromate metal primer..... | Drs..... | 2.99 | 3.41 | | 2.754 | 2.609 |
| | Gs..... | 3.09 | 3.53 | 4.45 | 2.85 | 2.70 |
| | Is..... | 3.19 | 3.65 | 4.60 | 2.947 | 2.792 |
| No. 7747 zinc dust—zinc oxide primer..... | Gs..... | 4.79 | 5.53 | 7.19 | 4.455 | 4.23 |
| | Is..... | 4.89 | 5.65 | 7.59 | 4.562 | 4.322 |
| No. 4290 white tank paint..... | Bbbs..... | 2.55 | 3.09 | | 2.423 | 2.295 |
| | Gs..... | 2.65 | 3.12 | | 2.519 | 2.357 |
| | Is..... | 2.75 | 3.24 | | 2.616 | 2.479 |
| Fulsee industrial finishes, air drying: | | | | | | |
| 4526 alba gray..... | | | | | | |
| 4531 mariposa blue..... | | | | | | |
| 4532 cordova brown..... | | | | | | |
| 4562 niagara green..... | | | | | | |
| 4593 locker green..... | Is..... | 3.69 | 4.24 | 5.05 | 3.424 | 3.244 |
| 4594 dark green..... | Is..... | .63 | 1.15 | 1.50 | .629 | .583 |
| 4595 natural ivory..... | | | | | | |
| 4598 light blue..... | | | | | | |
| 4597 clear..... | | | | | | |
| 4599 black..... | | | | | | |
| 4599 white..... | | | | | | |
| Fulsee industrial finishes—air drying type: | | | | | | |
| 4582 vermilion..... | Is..... | 4.79 | 5.53 | 6.25 | 4.455 | 4.23 |
| 4555 regal red..... | Is..... | 1.23 | 1.45 | 1.75 | 1.195 | 1.132 |
| 4553 chrome yellow, med..... | | | | | | |
| 4554 raw sienna..... | | | | | | |
| 4560 orange..... | Is..... | 3.75 | 4.41 | 5.20 | 3.491 | 3.374 |
| 4571 venetian red..... | Is..... | 1.62 | 1.59 | 1.69 | .979 | .918 |
| 4573 burnt umber..... | Is..... | .57 | .67 | .83 | .541 | .513 |
| 4574 chrome green, lt..... | Is..... | .33 | .39 | .50 | .315 | .293 |
| 4575 prussian blue..... | | | | | | |
| 4591 chrome yellow, lt..... | | | | | | |
| Fulsee industrial finishes—Baking: | | | | | | |
| 7183 natural ivory..... | | | | | | |
| 7160 orange..... | | | | | | |
| 7166 chrome yellow, lt..... | Is..... | 3.09 | 4.79 | 5.45 | 3.705 | 3.511 |
| 7177 chrome yellow, med..... | Is..... | 1.69 | 1.55 | 1.49 | 1.009 | .956 |
| 7179 white..... | | | | | | |
| 7163 vermilion..... | Is..... | 4.95 | 5.82 | 6.85 | 4.70 | 4.432 |
| 7189 regal red..... | Is..... | 1.32 | 1.55 | 1.85 | 1.232 | 1.153 |
| 7154 niagara green..... | | | | | | |
| 7155 locker green..... | | | | | | |
| 7156 dark green..... | | | | | | |
| 7157 clear..... | | | | | | |
| 7162 light blue..... | | | | | | |
| 7168 venetian red..... | | | | | | |
| 7170 burnt umber..... | Is..... | 3.75 | 4.41 | 5.20 | 3.491 | 3.374 |
| 7171 chrome green, lt..... | Is..... | 1.62 | 1.59 | 1.44 | .979 | .918 |
| 7172 prussian blue..... | | | | | | |
| 7173 black..... | | | | | | |
| 7174 alba gray..... | | | | | | |
| 7175 mariposa blue..... | | | | | | |
| 7176 cordova brown..... | | | | | | |
| 7178 raw sienna..... | | | | | | |
| 7183 fulsee white baking primer..... | Is..... | 3.19 | 3.65 | 4.35 | 2.947 | 2.792 |
| | Is..... | .89 | 1.01 | 1.21 | .815 | .773 |
| Durable boat paint: | | | | | | |
| 1 azure blue..... | | | | | | |
| 3 mast color..... | Is..... | 2.59 | 2.94 | 3.75 | 2.374 | 2.249 |
| 5 lead blue..... | Is..... | .71 | .84 | 1.10 | .678 | .643 |
| 7 white..... | | | | | | |
| 15 marine gray..... | | | | | | |
| 14 black..... | Is..... | 2.59 | 2.71 | 3.45 | 2.153 | 2.073 |
| | Is..... | .69 | .78 | 1.09 | .63 | .597 |
| 6 brilliant green..... | Is..... | 2.79 | 3.18 | 4.05 | 2.503 | 2.433 |
| 9 light yellow..... | Is..... | .79 | .89 | 1.15 | .719 | .681 |
| 10 medium blue..... | | | | | | |
| 11 peerless red..... | Is..... | 3.69 | 3.53 | 4.59 | 2.85 | 2.70 |
| | Is..... | .83 | .93 | 1.25 | .791 | .75 |
| Marine fullerspar..... | Is..... | 4.15 | 4.83 | 7.25 | 3.941 | 3.733 |
| | Is..... | 1.19 | 1.33 | 2.03 | 1.053 | 1.04 |
| | Es..... | .64 | .75 | 1.13 | .606 | .574 |
| | Es..... | .33 | .45 | .67 | .333 | .244 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dir. purchasing under \$500 manufactured goods per yr. (W price less 15/5%) | Cost to dir. purchasing \$500 or more manufactured goods per yr. (W price less 15/10%) |
|---------------------------------------|-----------------|--------|--------|--------|--|---|
| Fuller boottopping: | | | | | | |
| 4158 red..... | 5s..... | \$1.75 | \$2.06 | \$2.95 | \$1.663 | \$1.576 |
| | 1s..... | 1.85 | 2.18 | 3.10 | 1.76 | 1.663 |
| | 4s..... | .55 | .65 | .95 | .525 | .497 |
| 4500 Green..... | 5s..... | 2.40 | 2.82 | 4.00 | 2.277 | 2.167 |
| | 1s..... | 2.50 | 2.94 | 4.15 | 2.374 | 2.249 |
| | 4s..... | .71 | .84 | 1.20 | .678 | .643 |
| No. 1901 anticorrosive paint..... | 10 gl. drs..... | 1.65 | 1.94 | 2.75 | 1.567 | 1.484 |
| | 5s..... | 1.65 | 1.94 | 2.75 | 1.567 | 1.484 |
| | 1s..... | 1.75 | 2.06 | 2.90 | 1.663 | 1.576 |
| No. 1902 antifouling paint..... | 10 gl. drs..... | 3.00 | 3.53 | 5.00 | 2.85 | 2.70 |
| | 5s..... | 3.00 | 3.53 | 5.00 | 2.85 | 2.70 |
| | 1s..... | 3.10 | 3.65 | 5.15 | 2.947 | 2.792 |
| No. 5002 supertox..... | 10 gl. drs..... | 3.40 | 4.00 | 5.65 | 3.23 | 3.06 |
| | 5s..... | 3.40 | 4.00 | 5.65 | 3.23 | 3.06 |
| | 1s..... | 3.50 | 4.12 | 5.80 | 3.327 | 3.152 |
| Deck paint, 9119 battleship gray..... | 1s..... | 2.75 | 3.24 | 3.80 | 2.616 | 2.470 |

| Material | Size | D | W | R | Cost to dir. (W price less 15%) |
|--------------------------------------|------------|------------|------------|------------|---------------------------------------|
| No. 1540, myratec red lead..... | 5s..... | \$2.75 gl. | \$3.24 gl. | \$4.25 gl. | \$2.764 |
| | 1s..... | 2.85 | 3.35 | 4.40 | 2.848 |
| | 4s..... | .80 | .94 | 1.33 | .799 |
| No. 4224 red lead paint..... | Drs..... | 1.80 gl. | 2.12 gl. | 2.70 gl. | 1.802 |
| | 5s..... | 1.90 gl. | 2.24 gl. | 2.85 gl. | 1.904 |
| | 1s..... | 2.00 | 2.35 | 3.00 | 1.998 |
| No. 6563 premier red lead paint..... | 5s..... | 3.35 gl. | 3.94 gl. | 4.70 gl. | 3.349 |
| | 1s..... | 3.45 | 4.06 | 4.85 | 3.451 |
| Snow white zinc..... | 1s..... | .20 | .24 | .28 | .204 |
| No. 299 green seal zinc..... | 25s..... | .23 | .27 | .33 | .23 |
| Pure American zinc..... | 25s..... | .19 | .22 | .28 | .187 |
| Economy paint oil..... | Bulk..... | .75 gl. | .88 gl. | 1.15 gl. | .748 |
| | 5s..... | .85 gl. | 1.00 gl. | 1.30 gl. | .85 |
| | 1s..... | .95 | 1.12 | 1.45 | .952 |
| Logwood oil..... | 5s..... | 1.85 gl. | 2.18 gl. | 2.60 gl. | 1.853 |
| | 1s..... | 1.95 | 2.29 | 2.76 | 1.947 |
| Pioneer reinforcing oil..... | Bulk..... | 1.60 gl. | 1.88 gl. | 2.20 gl. | 1.693 |
| | 5s..... | 1.70 gl. | 2.00 gl. | 2.20 gl. | 1.70 |
| | 1s..... | 1.80 | 2.12 | 2.35 | 1.802 |
| | 4s..... | | | | |
| No. 1118 marine white paste..... | 8s..... | .1225# | .144# | .175# | .122 |
| | 100s..... | .1275# | .15# | .182# | .123 |
| | 25s..... | .13# | .153# | .185# | .13 |
| Urban paste..... | 1214s..... | .1025# | .121# | .146# | .103 |
| | 100s..... | .1075# | .126# | .153# | .107 |
| | 25s..... | .11# | .129# | .157# | .11 |
| No. 3306 white paste..... | 100s..... | .1125# | .132# | .16# | .112 |
| | 50s..... | .115# | .135# | .164# | .115 |
| | 25s..... | | | | |
| No. 4550 fultec red lead..... | 5s..... | 3.65 gl. | 4.29 gl. | 5.10 gl. | 3.647 |
| | 1s..... | 3.75 gl. | 4.41 gl. | 5.25 gl. | 3.749 |
| | 4s..... | 1.02 | 1.20 | 1.44 | 1.02 |
| | 8s..... | .57 | .67 | .80 | .57 |
| | 16s..... | .33 | .39 | .48 | .332 |
| Weathertite asbestos roof coat..... | Drs..... | .65 gl. | .76 gl. | .91 gl. | .646 |
| | 5s..... | .75 gl. | .88 gl. | 1.05 gl. | .748 |
| | 1s..... | .85 | 1.00 | 1.20 | .85 |
| | 4s..... | .30 | .35 | .43 | .293 |
| Sheep marking mixture..... | 1s..... | 1.35 | 1.59 | 1.95 | 1.352 |
| Fuller seal..... | 5s..... | 1.50 gl. | 1.76 gl. | 2.30 gl. | 1.496 |
| | 1s..... | 1.60 | 1.88 | 2.45 | 1.593 |
| Gloss oil..... | 5s..... | .90 gl. | 1.06 gl. | 1.35 gl. | .901 |
| | 1s..... | 1.00 | 1.18 | 1.50 | 1.003 |
| | 4s..... | .37 | .44 | .58 | .374 |
| Eureka industrial paint: | | | | | |
| 2651 light green..... | | | | | |
| 2653 dark red..... | Drs..... | 1.25 gl. | 1.47 gl. | 1.70 gl. | 1.25 |
| 2657 dark green..... | 5s..... | 1.35 gl. | 1.59 gl. | 1.80 gl. | 1.352 |
| 2660 B..... | 1s..... | 1.45 | 1.71 | 1.95 | 1.454 |
| 2661 L..... | 1s..... | 1.85 | 2.18 | 2.55 | 1.853 |
| 2663 L..... | | | | | |
| 2652 light red..... | | | | | |

| Material | Size | D | Painter |
|--|---------|--------|---------|
| 2914 artisan lead, titanox and zinc paste..... | 4s..... | \$2.66 | \$3.70 |
| | 1s..... | 2.75 | 3.82 |

APPENDIX A—Continued

| Material | Size | D | W | R |
|---|----------|----------|----------|------------|
| No. 8008 plywood sealer..... | 1s..... | \$1.85 | \$2.18 | |
| | 4s..... | .69 | .69 | |
| | 8s..... | .25 | .42 | |
| Black finishing insulating varnish..... | 5s..... | 1.85 gl. | 2.18 gl. | |
| | 1s..... | 1.95 | 2.29 | |
| Clear elastic insulating varnish..... | 5s..... | 1.85 gl. | 2.12 gl. | |
| | 1s..... | 1.99 | 2.21 | |
| Light finishing insulating varnish..... | 5s..... | 1.60 gl. | 1.83 gl. | |
| | 1s..... | 1.70 | 2.00 | |
| Fuller cement paint: | | | | |
| 6301 white..... | Drs..... | 2.35 gl. | 2.70 gl. | |
| 6309 cement color..... | 5s..... | 2.45 gl. | 2.83 gl. | \$3.49 gl. |
| 6313 buff..... | 1s..... | 2.35 | 3.09 | 3.75 |
| 6314 light cream..... | | | | |
| Medal shingle stain: | | | | |
| MSS-15 Red..... | 5s..... | .65 gl. | 1.12 gl. | 1.23 gl. |
| MSS-16 Brown..... | 1s..... | 1.05 | 1.71 | 1.49 |
| MSS-30 Green..... | | | | |

[F. R. Doc. 42-10921; Filed, October 27, 1942; 2:27 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 70 Under § 1499.18 (b) of GMPR]

M. R. BLACKMAN AND COMPANY, INC.

Order No. 70 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-116.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

§ 1499.870 *Adjustment of the maximum prices of M. R. Blackman and Company, Inc. for fountain syrups, flavors, fruits and toppings.* (a) M. R. Blackman and Company, Inc., a Pennsylvania corporation of Philadelphia, Pennsylvania may sell and deliver and any purchaser may buy and receive from such concern the following products at prices not higher than those set forth below:

(1) *Maximum prices to sellers at wholesale.* The maximum price established under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

| | Per gallon |
|------------------------------------|------------|
| Blackman crushed strawberries..... | \$.80 |
| Blackman crushed pineapple..... | .30 |

For fractional and multiple parts of a gallon of either of the above products M. R. Blackman and Company, Inc. may add to the maximum price for such amounts established under § 1499.2 of the General Maximum Price Regulation the proportionate part of the increase herein granted on gallon prices.

(2) *Maximum prices of M. R. Blackman and Company, Inc. to sellers at retail.* The maximum prices established under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

| Blackman ready to use syrups: | Per gallon |
|-------------------------------|------------|
| Chocolate syrup..... | \$.05 |
| Almond cherry syrup..... | .05 |
| Lime syrup..... | .05 |
| Orange syrup..... | .05 |
| Lemon syrup..... | .05 |
| Pineapple syrup..... | .05 |
| Root beer syrup..... | .05 |
| Raspberry syrup..... | .05 |
| Vanilla syrup..... | .05 |

| Blackman special syrups: | Per gallon |
|--------------------------|------------|
| Pale dry ginger ale..... | \$.05 |
| Lemon and lime..... | .05 |
| Coffee..... | .05 |

| Blackman crushed fruits: | |
|---------------------------|-----|
| Walnut sundaes..... | .20 |
| Pineapple..... | .30 |
| Salad fruit..... | .30 |
| Strawberry..... | .70 |
| Blackman marshmallow..... | .05 |

For fractional and multiple parts of a gallon of any of the above products M. R. Blackman and Company, Inc. may add to the maximum price for such amount established under § 1499.2 of the General Maximum Price Regulation the proportionate part of the increase herein granted on gallon prices.

(b) *Maximum prices of wholesalers or jobbers to sell M. R. Blackman and Company, Inc. products to sellers at retail.* The maximum price established under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

| | Per gallon |
|------------------------------------|------------|
| Blackman crushed strawberries..... | \$0.80 |
| Blackman crushed pineapple..... | \$0.30 |

For fractional and multiple parts of a gallon of any of the above products M. R. Blackman and Company, Inc. may add to the maximum price for such amount established under § 1499.2 of the General Maximum Price Regulation the proportionate part of the increase herein granted on gallon prices.

(c) The adjustment granted in paragraphs (a) and (b) are subject to the following conditions:

(1) All wholesalers and jobbers who purchase any of the products mentioned herein from M. R. Blackman and Company, Inc., shall be notified in writing by such company on or before the first delivery after the effective date of this order as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our fountain syrups \$.80 per gallon on Blackman crushed strawberries and \$.30 per gallon on Blackman crushed pineapple over our March ceiling prices. This amount represents that amount of cost in-

crease which we were unable to absorb and it was granted with the understanding that retail prices would not be raised. You may add these amounts to your maximum prices of these products: *Provided*, That you retain your schedule of customary price differentials and discounts.

(2) All sellers at wholesale who sell syrups and crushed fruits manufactured by M. R. Blackman and Company, Inc., to retailers shall notify in writing such retailers on or before the first delivery after the effective date of this Order as follows:

The Office of Price Administration has permitted M. R. Blackman and Company, Inc. to add to its maximum price \$.80 per gallon on Blackman crushed strawberries and \$.30 per gallon on Blackman crushed pineapple. We are permitted to add this increase to our March ceiling prices with the understanding that it shall not be reflected in the retail prices on these items in which these products are used. In order that M. R. Blackman and Company and ourselves may continue to provide you with these syrups and crushed fruits it will be necessary for you to accept this reduction in your margin.

(3) All sellers at retail who purchase syrups and crushed fruits from M. R. Blackman and Company, Inc. shall be notified in writing by the applicant herein on or before the first delivery after the effective date of this order as follows:

The Office of Price Administration has permitted us to raise our maximum prices of syrups and crushed fruits as follows:

| Blackman ready to use syrups: | Per gallon |
|-------------------------------|------------|
| Chocolate syrup..... | \$.05 |
| Almond cherry syrup..... | .05 |
| Lime syrup..... | .05 |
| Lemon syrup..... | .05 |
| Orange syrup..... | .05 |
| Pineapple syrup..... | .05 |
| Root beer syrup..... | .05 |
| Raspberry syrup..... | .05 |
| Vanilla syrup..... | .05 |
| Blackman special syrups: | |
| Pale dry ginger ale..... | .05 |
| Lemon and lime..... | .05 |
| Coffee..... | .05 |
| Blackman crushed fruits: | |
| Walnut sundaes..... | .20 |
| Pineapple..... | .30 |
| Salad fruits..... | .30 |
| Strawberry..... | .70 |
| Blackman marshmallow..... | .05 |

These amounts represent only that part of cost increase which we were unable to absorb and they are granted with the understanding that retail prices on these items in which these products are used would not be raised. In order that we may continue to provide you with these products it will be necessary for you to accept this reduction in your margin.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 70 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 70 (§ 1499.870) is hereby incorporated as a section of Supplementary Regulation No. 14 which con-

tains modifications of maximum prices established by § 1499.2.

(g) This Order No. 70 (§ 1499.870) shall become effective October 28, 1942. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10922; Filed, October 27, 1942;
2:29 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 71 Under § 1499.18 (b) of GMPR]

BROOKLYN COOPERAGE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.871 *Adjustment of maximum prices for sales of 50/52 gallon white oak tight sap, eight hoop, double glued and branded barrels, for alcohol, manufactured at the Chamalette, Louisiana plant of the Brooklyn Cooperage Company.* (a) The Brooklyn Cooperage Company, 120 Wall Street, New York City, may sell and deliver from its Chamalette, Louisiana plant, and any person may buy and receive from said plant, 50/52 gallon white oak tight sap, eight hoop, double glued and branded barrels, for alcohol, produced at the Chamalette, Louisiana plant, at a price not in excess of \$4.65 per barrel, delivered to New Orleans, Louisiana.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 71 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 71 (§ 1499.871) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 71 (§ 1499.871) shall become effective October 28, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10934; Filed, October 27, 1942;
4:11 p. m.]

Chapter XV—Board of War Communications

[Order No. 22]

PART 1718—PROHIBITING THE LEASING OF COMMUNICATIONS CIRCUITS IN SUBMARINE CABLES WITHOUT PRIOR APPROVAL OF THE BOARD

APPROVAL OF BOARD; FILING OF COPIES, ETC.

Whereas, The Board of War Communications has determined that the national defense and security and the successful conduct of the war require that the leasing of communications circuits in sub-

marine cables extending from any point in the United States to any point outside the United States be supervised by the Board;

Now, therefore, By virtue of the authority vested in the Board by Executive Order No. 8546 of September 24, 1940, and by Executive Order No. 9089 of March 6, 1942; *It is hereby ordered:*

§ 1718.1 *Approval of Board required before leasing.* After the date hereof no communications circuit in any submarine cable extending from any point in the United States to any point outside the United States shall be leased or by any other arrangement made available by any cable licensee for the private and exclusive use of any person, Government department or agency, or other organization, unless such licensee has received written approval of such lease or other arrangement from the Board.

§ 1718.2 *Filing of copies of leases or arrangements.* Within 20 days from the date of this order every cable licensee shall file with the Board two copies of every lease or other document evidencing any arrangement of the type described in § 1718.1 and in effect on the date hereof.

Subject to such further order as the Board may deem appropriate. (E.O. 8546 and E.O. 9089; 5 F.R. 3817, 7 F.R. 1777)

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: October 22, 1942.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 42-10964; Filed, October 28, 1942;
11:54 a. m.]

[Order No. 23]

PART 1719—AUTHORIZATION OF DEPARTMENT OF WAR TO USE, CONTROL, SUPERVISE, INSPECT OR CLOSE STATIONS AND FACILITIES FOR WIRE OR RADIO COMMUNICATION IN PUERTO RICO

PUERTO RICAN STATIONS

Whereas, The Board of War Communications has determined that the national security and defense and the successful conduct of the war demand that all nonmilitary stations and facilities for radio or wire communication in Puerto Rico shall be subject to use, control, supervision, inspection or closure by the Department of War;

Now, therefore, by virtue of the authority vested in the Board of War Communications by Executive Orders Nos. 8546, 8964, and 9089 of September 24, 1940, December 10, 1941, and March 6, 1942, respectively; *It is hereby ordered:*

§ 1719.1 *Puerto Rican stations and facilities subject to use, control, supervision, inspection or closure.* All nonmilitary stations and facilities for radio or wire communication in Puerto Rico shall be subject to such use, control, supervision, inspection or closure by the Department of War in accordance with the

terms of the said Executive Orders as the Secretary of War may deem necessary for the national security and defense and the successful conduct of the war;

Provided, however, That nothing herein shall apply to facilities controlled by the Department of Navy under Order No. 2 of the Board.

Subject to such further order as the Board may deem appropriate. (E.O. 8546, E.O. 8964 and E.O. 9089; 5 F.R. 3817, 6 F.R. 6367, 7 F.R. 1777).

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: October 22, 1942.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 42-10964; Filed, October 28, 1942;
11:54 a. m.]

Chapter XVIII—Office of Economic Stabilization

Subchapter A—Office of the Director of Economic Stabilization

PART 4001—WAGES AND SALARIES

By virtue of the authority vested in the President by the Constitution and the laws of the United States, and particularly by the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Pub. Law 729, 77th Cong.), the following regulations are hereby promulgated.

Sec.

- 4001.1 Definitions.
- 4001.2 Authority of National War Labor Board.
- 4001.3 Rules, orders and regulations of Board.
- 4001.4 Authority of the Commissioner of Internal Revenue.
- 4001.5 Rules and regulations of Commissioner.
- 4001.6 Salary increases.
- 4001.7 Decreases in salaries of less than \$5,000.
- 4001.8 Decreases in salaries of over \$5,000.
- 4001.9 Limitation on certain salaries.
- 4001.10 Effect of unlawful payments.
- 4001.11 Exempt employers.
- 4001.12 Salary allowances under Internal Revenue Code.
- 4001.13 Statutory salaries and wages.
- 4001.14 Territories and possessions.
- 4001.15 Regulations of Economic Stabilization Director.
- 4001.16 Effect of Executive Order No. 9250.

AUTHORITY: §§ 4001.1 to 4001.16, inclusive, issued under Pub. Law 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 4001.1 *Definitions.* When used in the regulations in this part, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(a) The term "Act" means the Act of October 2, 1942, (Pub. Law 729) entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes".

(b) The term "Board" means the National War Labor Board created by Executive Order No. 9017, dated January 12, 1942 (7 F.R. 237).

(c) The term "Commissioner" means the Commissioner of Internal Revenue.

(d) The term "Code" means the Internal Revenue Code, as amended and supplemented.

(e) The term "salary" or "salary payments" means all forms of direct or indirect compensation which is computed on a weekly, monthly, annual or other comparable basis, except a wage basis, for personal services of an employee irrespective of when rendered, including bonuses, additional compensation, gifts, loans, commissions, fees, and any other remuneration in any form or medium whatsoever (excluding insurance and pension benefits in a reasonable amount).

(f) The term "salary rate" means the rate or other basis at which the salary for any particular work or service is computed either under the terms of a contract or agreement or in conformity with an established custom or usage.

(g) The term "wages" or "wage payments" means all forms of direct or indirect compensation which is computed on an hourly or daily basis, a piece-work basis, or other comparable basis, for personal services of an employee irrespective of when rendered, including bonuses, additional compensation, gifts, commissions, loans, fees, and any other remuneration in any form or medium whatsoever (but excluding insurance and pension benefits in a reasonable amount).

(h) The term "insurance and pension benefits in a reasonable amount" means:

(1) Contributions by an employer to an employees' trust or under an annuity plan which meets the requirements of section 165 (a) of the Code, and

(2) Amounts paid by an employer on account of premiums on insurance on the life of the employee which amounts are deductible by the employer under section 23 (a) of the Code, except that if such amounts are includible in the gross income of the employee under the Code, the amount in respect of each employee may not exceed five per cent of the employee's annual salary or wages determined without the inclusion of insurance and pension benefits.

(i) The terms "approval by the Board" and "determination by the Board" shall, except as may be otherwise provided in the regulations or orders of the Board, include an approval or determination by an agent of the Board duly authorized to perform such act; and such approval or determination, if subsequently modified or reversed by the Board, shall nevertheless for the purpose of the regulations in this part, be deemed to have been continuously in effect from its original date until the first day of the payroll period immediately following the reversal or modification or until such later date as the Board may direct.

(j) The terms "approval by the Commissioner" and "determination by the Commissioner" shall, except as may be otherwise provided in regulations prescribed by the Commissioner, include an approval or determination by an agent of the Commissioner duly authorized to

perform such act; and such approval or determination, if subsequently modified or reversed by the Commissioner, shall nevertheless for the purpose of the regulations in this part, be deemed to have been continuously in effect from its original date until the first day of the payroll period immediately following reversal or modification or until such later date as the Commissioner may direct.

§ 4001.2 *Authority of National War Labor Board.* The Board shall, subject to the provisions of sections 1, 2, 3, 4, 8, and 9 of Title II of Executive Order No. 9250, of October 3, 1942, have authority to determine whether any

(a) Wage payments, or

(b) Salary payments to an employee totaling in amount not in excess of \$5,000 per annum where such employee

(1) In his relations with his employer is represented by a duly recognized or certified labor organization, or

(2) Is not employed in a bona fide executive, administrative or professional capacity

are made in contravention of the Act, or any rulings, orders or regulations promulgated thereunder. Any such determination by the Board, made under rulings and orders issued by it, that a payment is in contravention of the Act, or any rulings, orders, or regulations promulgated thereunder, shall be conclusive upon all Executive Departments and agencies of the Government in determining the costs or expenses of any employer for the purpose of any law or regulation, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses under any contract made by or on behalf of the United States. Any determination of the Board made pursuant to the authority conferred on it shall be final and shall not be subject to review by The Tax Court of the United States or by any court in any civil proceedings.

§ 4001.3 *Rules, orders and regulations of Board.* The Board may make such rulings and issue such orders or regulations as it deems necessary to enforce and otherwise carry out the provisions of the regulations in this part.

§ 4001.4 *Authority of the Commissioner of Internal Revenue.* The Commissioner shall have authority to determine, under regulations to be prescribed by him with the approval of the Secretary of the Treasury, whether any salary payments other than those specified in § 4001.2 (b) are made in contravention of the Act, or any regulations or rulings promulgated thereunder. Any such determination by the Commissioner, made under such regulations, that a payment is in contravention of the Act, or any rulings or regulations promulgated thereunder, shall be conclusive upon all Executive Departments and agencies of the Government in de-

termining the costs or expenses of any employer for the purpose of any law or regulations, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses under any contract made by or on behalf of the United States. Any determination of the Commissioner made pursuant to the authority conferred on him shall be final and shall not be subject to review by The Tax Court of the United States or by any court in any civil proceedings. No increase in a salary rate approved by the Commissioner shall result in any substantial increase of the level of costs or shall furnish the basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

§ 4001.5 *Rules and regulations of Commissioner.* The Commissioner may prescribe such regulations with the approval of the Secretary of the Treasury, and make such rulings as he deems necessary, to enforce and otherwise carry out the provisions of these regulations.

§ 4001.6 *Salary increases.* In the case of a salary rate of \$5,000 or less per annum existing on the date of the approval of these regulations by the President and in the case of a salary rate of more than \$5,000 per annum existing on October 3, 1942, no increase shall be made by the employer except as provided in regulations, rulings, or orders promulgated under the authority of the regulations in this part. Except as herein provided, any increase made after such respective dates shall be considered in contravention of the Act and the regulations, rulings, or orders promulgated thereunder from the date of the payment if such increase is made prior to the approval of the Board or the Commissioner, as the case may be.

In the case, however, of an increase made in accordance with the terms of a salary agreement or salary rate schedule and as a result of:

(a) Individual promotions or reclassifications,

(b) Individual merit increases within established salary rate ranges,

(c) Operation of an established plan of salary increases based on length of service,

(d) Increased productivity under incentive plans,

(e) Operation of a trainee system, or

(f) Such other reasons or circumstances as may be prescribed in orders, rulings, or regulations, promulgated under the authority of the regulations in this part,

no prior approval of the Board or the Commissioner is required. No such increase shall result in any substantial increase of the level of costs or shall furnish the basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

§ 4001.7 *Decreases in salaries of less than \$5,000.* In the case of a salary rate existing as of the close of October 3, 1942, under which an employee is paid a salary of less than \$5,000 per annum for any particular work, no decrease shall be made by the employer below the highest salary rate paid for such work between January 1, 1942, and September 15, 1942, unless to correct gross inequities or to aid in the effective prosecution of the war. Any decrease in such salary rate after October 3, 1942, shall be considered in contravention of the Act and the regulations, rulings, or orders promulgated thereunder if such decrease is made prior to the approval of the Board or the Commissioner, as the case may be.

§ 4001.8 *Decreases in salaries of over \$5,000.* In the case of a salary rate existing as of the close of October 3, 1942, under which an employee is paid a salary of \$5,000 or more per annum, no decrease in such rate made by the employer shall be considered in contravention of the Act and the regulations promulgated thereunder (see section 5 (b) of the Act): *Provided, however,* That if by virtue of such decrease the new salary paid to the employee is less than \$5,000 per annum, then the validity of such decrease below \$5,000 shall be determined under the provisions of § 4001.7.

§ 4001.9 *Limitation on certain salaries.* (a) No amount of salary (exclusive of any amounts allowable under paragraphs (b) and (c) of this section) shall be paid or authorized to be paid to or accrued to the account of any employee or received by him during the taxable year which, after reduction by the Federal income taxes on the amount of such salary, would exceed \$25,000. The amount of such Federal income taxes shall be determined (1) by applying to the total amount of salary (exclusive of any amounts allowable under paragraphs (b) and (c) of this section) paid or accrued during the taxable year, undiminished by any deductions, the rates of taxes imposed by Chapter 1 of the Code (not including section 466) as if such amount of salary were the net income (after the allowance of credits applicable thereto), the surtax net income, and the Victory tax net income, respectively, and (2) without allowance of any credits against any of such taxes.

(b) In any case in which an employee establishes that his income from all sources is insufficient to meet payments customarily made to charitable, educational or other organizations described in section 23 (o) of the Code, without resulting in undue hardship, then an additional amount sufficient to meet such payments may be paid or authorized to be paid to or accrued to the account of any employee or received by him during the taxable year even though it exceeds the amount otherwise computed under paragraph (a) of this section.

(c) In any case in which an employee establishes that, after resorting to his income from all sources, he is unable, without disposing of assets at a substantial financial loss resulting in undue hardship, to meet payments for the following:

(1) Required payments (excluding accelerated payments) by the employee during the taxable year on any life insurance policies on his life which were in force on October 3, 1942,

(2) Required payments (excluding accelerated payments) made by the employee during the taxable year on any fixed obligations for which he was obligated on October 3, 1942,

(3) Federal income taxes of the employee for prior taxable years which are paid during the taxable year, not including Federal income taxes on the allowance under paragraph (a) of this section for any prior year, an additional amount sufficient to meet such payments may be paid or authorized to be paid to or accrued to the account of any employee or received by him during the taxable year, even though it exceeds the amount otherwise computed under paragraph (a) of this section.

(d) In the case of an individual who is an employee of more than one person, the aggregate of the salaries received by such individual shall, under such circumstances as may be set forth in regulations promulgated under the authority of these regulations, be treated as if paid by a single employer.

(e) No amount of salary shall be paid or authorized to be paid to or accrued to the account of any employee or received by him after the date of approval of these regulations by the President and before January 1, 1943, if the total salary paid, authorized, accrued or received for the calendar year 1942 exceeds the amount of salary which would otherwise be allowable under paragraph (a) of this section and also exceeds the total salary paid, authorized, accrued or received for the calendar year 1941.

(f) Except as provided in paragraph (e) of this section, the provisions of this section shall be applicable to salary paid or accrued after December 31, 1942, regardless of when authorized and regardless of any contract or agreement made before or after such date.

§ 4001.10 *Effect of unlawful payments.* (a) If any wage or salary payment is made in contravention of the Act or the regulations, rulings or orders promulgated thereunder, as determined by the Board or the Commissioner, as the case may be, the entire amount of such payment shall be disregarded by the Executive Departments and all other agencies of the Government in determining the costs or expenses of any employer for the purpose of any law or regulation, including the Emergency Price Control Act of 1942, or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses of any contract made by or on behalf of the United States. The term "law or regulations" as used herein includes any law or regulation hereafter enacted or promulgated. In the case of wages or salaries decreased in contravention of the Act or regulations, rulings or orders promulgated thereunder, the amount to be disregarded is the amount of the wage or salary paid or accrued. In the case of

wages or salaries increased in contravention of the Act or regulations, rulings or orders promulgated thereunder, the amount to be disregarded is the amount of the wage or salary paid or accrued and not merely an amount representing an increase in such wage or salary. In the case of a salary in excess of the amount allowable under § 4001.9 which is paid or accrued to an employee during his taxable year in contravention of the Act or regulations, rulings or orders promulgated thereunder, the amount to be disregarded is the full amount of such salary and not merely the amount representing the excess over the amount allowable under such § 4001.9.

(b) Payments made or received in violation of any regulations, rulings or orders promulgated under the authority of the Act are subject to the penal provisions of the Act.

§ 4001.11 *Exempt employers.* The provisions of §§ 4001.6, 4001.7 and 4001.8 shall apply only in the case of an employer who employs more than eight individuals.

§ 4001.12 *Salary allowances under Internal Revenue Code.* No provision of the regulations in this part shall preclude the Commissioner from disallowing as a deduction in computing Federal income tax any compensation paid by an employer (regardless of the number of employees and of the amount paid to any employee) in excess of a "reasonable allowance" in accordance with the provisions of section 23 (a) of the Code.

§ 4001.13 *Statutory salaries and wages.* The regulations in this part shall be applicable to any salary or wages paid by the United States, any State, Territory or possession, or political subdivision thereof, the District of Columbia, or any agency or instrumentality of any one or more of the foregoing, except where the amount of such salary or wages is fixed by statute.

§ 4001.14 *Territories and possessions.* The Board and the Commissioner shall have the authority to exempt from the operation of the regulations in this part any wages or salaries paid in any Territory or possession of the United States where deemed necessary for the effective administration of the Act and the regulations in this part.

§ 4001.15 *Regulations of Economic Stabilization Director.* The Director shall have authority to issue such regulations as he deems necessary to amend or modify the regulations in this part.

§ 4001.16 *Effect of Executive Order No. 9250.* To the extent that the provisions of Executive Order No. 9250, dated October 3, 1942 (7 F.R. 7871) are inconsistent with the regulations in this part, such provisions are hereby superseded.

JAMES F. BYRNES,
Economic Stabilization Director.

Approved: October 27, 1942,

FRANKLIN D. ROOSEVELT
The White House.

[F. R. Doc. 42-10936; Filed, October 27, 1942;
5:13 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Service Order No. 92]

PART 95—CAR SERVICE

COAL SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of October, A. D. 1942.

It appearing, That, due to the existing state of war, an emergency exists, which in the opinion of the Commission requires immediate action to prevent delay to railroad equipment and to expedite the movement and prompt handling of cars used in the transportation of coal consigned to various ports on Lake Michigan, Lake Ontario, and Lake Erie, and to the ports of New York, N. Y., Philadelphia, Pa., Baltimore, Md., and Hampton Roads, Va., for transshipment by vessels:

It is ordered, That:

§ 95.3 *Coal shipments consigned to lake ports for transshipment*—(a) *Restriction on movement of cars.* No common carrier by railroad shall move a car loaded with coal consigned to Lake Erie, Lake Ontario, or Lake Michigan ports for transshipment by vessels, except that such carriers may move the cars loaded with coal to said ports upon permit issued by a person to be designated by this Commission as its Agent to exercise its directions as to car service.

(b) *Designation of agent at lake ports; outline of duties.* W. J. McGarry, Manager of the Ore & Coal Exchange at Cleveland, Ohio, is hereby designated and appointed as Agent of the Commission and vested with authority to control the movement of railroad cars used in the transportation of coal for transshipment by vessels at Lake Erie, Lake Ontario, and Lake Michigan ports. As Agent, he is hereby authorized to issue permits for the movement of coal to the Lake Erie, Lake Ontario, and Lake Michigan ports for transshipment by vessels in such manner as to prevent the accumulation of cars of coal at the lake ports by any transshipper in excess of the ability of such transshipper to provide vessel capacity for the prompt dumping of the coal. In issuing such permits the Commission's Agent shall also give consideration to promotion of the prompt dumping of coal from cars to vessels and reduction in the detention of railroad cars held under load at the lake ports. As Agent, he is also authorized and directed to promote the voluntary consolidation, for transshipment, of various grades and consignment designations of coal. As Agent, he is not authorized to issue any permit which would conflict with the terms of General Order O. D. T. No. 9 (§§ 502.5 to 502.8 of this title) or any permit issued under the terms of that order. Permits may be in blanket form or otherwise, authorizing the shipment of a number of cars or tons

of coal. Permits may be revoked by said Agent to carry out the purposes as set forth in this order.

§ 95.31 *Designation of agent at New York, New Jersey, Delaware, Pennsylvania, and Maryland ports; outline of duties.* W. R. Godber, Joint Manager of the Anthracite Tidewater Emergency Bureau and Northern Tidewater Bituminous Emergency Committee, 143 Liberty Street, New York, N. Y., is hereby designated and appointed as Agent of the Commission and vested with authority to control the movement of railroad cars used in the transportation of coal for transshipment by vessels at New York, New Jersey, Delaware, Pennsylvania, and Maryland ports and storage yards named in Trunk Line Tariff Bureau Tariff 139-C I. C. C. No. A-751, or in Trunk Line Tariff Bureau Tariff No. 138-B I. C. C. No. A-750, or supplements thereto. As Agent, he is hereby authorized to represent the Commission in the regulation of the shipment of coal to piers in such manner as to prevent the accumulation of cars of coal at such piers and storage yards by any transshipper in excess of the ability of such transshipper to provide vessel capacity for the prompt dumping of the coal. As Agent, he is authorized and directed to determine and advise the Commission in the establishment of the maximum number of cars which any transshipper may have on hand at any pier or storage yard or in transit from point of origin to said piers and storage yards. In arriving at said maximum number of cars said Agent shall give consideration to past performance in dumping, as well as any other circumstances which will affect the ability of the transshipper to unload from cars to vessels. As Agent, he is also authorized and directed to promote voluntary consolidation, for transshipment, of various grades and consignment designations of coal and to promote the reduction of the number of grades and consignment designations of coal to a minimum. As Agent, he is also authorized and directed to take the necessary action to bring about embargoes of transshippers, piers, or ports, to properly control the movement of cars used in the transportation of coal.

§ 95.32 *Designation of agent at Hampton Roads, Va., ports; outline of duties.* E. D. Enney, Bureau Manager Hampton Roads Coal Emergency Committee, 616 Royster Bldg., Norfolk, Va., is hereby designated and appointed as Agent of the Commission and vested with authority to control the movement of railroad cars used in the transportation of coal for transshipment by vessels at Hampton Roads, Va., ports and storage yards named in Trunk Line Tariff Bureau Tariff 139-C I. C. C. A-751, or supplements thereto, and cars used in the transportation of coal from mines on the Virginian Railway to Little Creek, Va., for further movement by car floats to Cape Charles, Va. As Agent, he is hereby authorized to represent the Commission in the regulation of the shipment of coal

to piers in such manner as to prevent the accumulation of cars of coal at such piers and storage yards by any transshipper in excess of the ability of such transshipper to provide vessel capacity for the prompt dumping of the coal. As Agent, he is directed to determine and advise the Commission in the establishment of the maximum number of cars which any transshipper may have on hand at any pier or storage yard or in transit from point of origin to said piers and storage yards. In arriving at said maximum number of cars said agent shall give consideration to past performance in dumping, as well as any other circumstances which will affect the ability of the transshipment to unload from cars to vessels. As Agent, he is also authorized and directed to promote voluntary consolidation, for transshipment, of various grades and consignment designations of coal, and to promote the reduction of the number of grades and consignment designations of coal to a minimum. As Agent, he is also authorized and directed to take the necessary action to bring about embargoes of transshippers, piers, or ports, to properly control the movement of cars used in the transportation of coal.

And it is further ordered, That this order shall become effective November 1, 1942, and shall remain in force until further order of the Commission; and that copies of this order and direction be served upon all railroads, transporting coal to the above-mentioned ports, for transshipment by vessels and car floats, and upon the Association of American Railroads, Car Service Division, as agent of the carriers subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy of it in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register, the National Archives.

(40 Stat. 101, 41 Stat. 476, 49 Stat. 543, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

By the Commission, division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 42-10366; Filed, October 23, 1942; 11:23 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1697]

DISTRICT BOARD NO. 2

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 2 for a change in minimum prices established for truck shipments for the coals of certain mines in District No. 2.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly

filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on November 25, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before November 20, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed with this Division by District Board No. 2 requesting changes in the minimum prices established for truck shipments for the Binkerd Mine (Mine Index No. 709) of David D. Frazer, the Evans Mine (Mine Index No. 707) of David L. Corbett and the Walker Mine (Mine Index 1709) of James E. Walker as follows:

For the Binkerd Mine and the Evans Mine

| Size groups | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|-------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| From..... | 250 | 270 | 280 | 240 | 235 | 225 | 205 | 215 | 195 | 185 | 175 |
| To..... | 300 | 280 | 270 | 260 | 255 | 250 | 250 | 250 | 210 | 200 | 190 |

For the Walker Mine

| Size groups | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|-------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| From..... | 270 | 260 | 250 | 230 | 235 | 215 | 200 | 205 | 185 | 175 | 165 |
| To..... | 300 | 280 | 270 | 260 | 255 | 250 | 250 | 250 | 210 | 200 | 190 |

Dated: October 26, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10960; Filed, October 28, 1942;
- 11:25 a. m.]

[Docket No. B-311]

WERNER BROTHERS

ORDER POSTPONING HEARING

In the matter of Fred J. Werner, also known as Fred Werner, Jr., and William J. Werner, individually, and as partners doing business under the name and style of Werner Brothers, Code Member.

The above-entitled matter having been scheduled for hearing on November 5, 1942, at a hearing room of the Bituminous Coal Division at the Post Office Building, Owensboro, Kentucky; and

The Director deeming it advisable that said hearing be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from November 5, 1942, at 10 a. m., to December 7, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Post Office Building, Owensboro, Kentucky, before the officer or officers heretofore designated to preside at said hearing.

Dated: October 26, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10961; Filed, October 28, 1942;
11:25 a. m.]

[Docket No. B-282]

WEST VIRGINIA-PITTSBURGH COAL COMPANY

NOTICE OF FILING OF APPLICATION, ETC.

Notice of filing of application for disposition of compliance proceeding without formal hearing pursuant to § 301.132 of the rules of practice and procedure before the Division.

Notice is hereby given that an application dated July 30, 1942, for disposition of this proceeding without formal hearing was filed with the Bituminous Coal Division (the "Division") on July 30, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure before the Bituminous Coal Division (the "Admission Rules") by the West Virginia-Pittsburgh Coal Company, the above-named Code member (the "Code Member").

The application was filed in respect to the written complaint dated June 6, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") filed with the Division on June 6, 1942, by Bituminous

Coal Producers Board for District No. 6, a district board, complainant, alleging that the Code member which operates the Gilchrist and Locust Grove Mines, Mine Index Nos. 12 and 15 respectively, located in Brooke County, West Virginia, District No. 6, willfully violated section 4 II (e) of the Act, and Part II (e) of the Bituminous Coal Code (the "Code") by selling subsequent to September 30, 1940, coal produced at the aforesaid mines to the Weirton Steel Company, Weirton, West Virginia, at prices below the effective minimum prices as set forth in the Schedule of Effective Minimum Prices for District No. 6 For All Shipments Except Truck (the "Schedule"), as follows:

1. The sale and delivery during the month of January 1941 of approximately

(a) 3,336.55 tons of $\frac{3}{4}$ " lump coal at \$1.90 per ton f. o. b. said mines, whereas the effective minimum f. o. b. mine price for said coal was \$2.05 per net ton f. o. b. said mines, as established and set forth in the Schedule;

(b) 3,612.35 tons of $\frac{3}{4}$ " slack coal at 90 cents per ton f. o. b. said mines, whereas the effective minimum f. o. b. mine price for said coal was \$1.65 per net ton f. o. b. said mines, as established and set forth in the Schedule;

2. The sale and delivery during the period from October 1, 1940, to January 1, 1941, both dates inclusive, of approximately

(a) 3,413 tons of $\frac{3}{4}$ " lump coal at \$1.90 per ton f. o. b. said mines, whereas the effective minimum f. o. b. mine price for said coal was \$2.05 per net ton f. o. b. said mines, as established and set forth in the Schedule;

(b) 6,007 tons of $\frac{3}{4}$ " slack coal at 90 cents per ton f. o. b. said mines, whereas the effective minimum f. o. b. mine price for said coal was \$1.65 per net ton f. o. b. said mines, as established and set forth in the Schedule;

3. The sale and delivery during the month of February 1941 of approximately

(a) 872.55 tons of $\frac{3}{4}$ " lump coal at \$1.90 per ton f. o. b. said mines, whereas the effective minimum f. o. b. mine price for said coal was \$2.05 per net ton f. o. b. said mines, as established and set forth in the Schedule;

(b) 356.80 tons of $\frac{3}{4}$ " slack coal at 90 cents per ton f. o. b. said mines, whereas the effective minimum f. o. b. mine price for said coal was \$1.65 per net ton f. o. b. said mines, as established and set forth in the Schedule;

(c) 3,304 tons of $1\frac{1}{4}$ " lump coal at \$1.90 per ton f. o. b. said mines, whereas the effective minimum f. o. b. mine price for said coal was \$2.05 per net ton f. o. b. said mines, as established and set forth in the Schedule; and

4. The sale and delivery during the month of March 1941 of approximately 4,935 tons of $1\frac{1}{4}$ " lump coal at \$1.90 per ton f. o. b. said mines, whereas the effective minimum price for said coal was \$2.05 per net ton f. o. b. said mines, as established and set forth in the Schedule.

In said application the Code member admits all of the violations alleged in the complaint herein as set forth in paragraphs 1, 2, 3 and 4 hereof and consents to the entry of an order revoking its Code membership, imposing a penalty tax in the amount of \$4,000 which it agrees to pay immediately upon being served with said order, and enjoining and restraining it from violations of the Code and regulations thereunder upon any restoration of its Code membership, said tax being computed upon the basis of the tonnage referred to in paragraph 4 hereof and 68.12 tons of the 3/4" lump coal referred to in paragraph 2 (a) hereof.

In the application, the Code member states that to the best of its knowledge and belief "it has not committed any violations of the Act, the Code, or the regulations thereunder in its sale of coal to any person, persons, firm or corporation except those involved in shipments to the Weirton Steel Company, which shipments ceased on and after April 1, 1941."

All interested parties may if they desire to do so, file with the Division recommendations or requests for informal conferences in respect to such application within fifteen (15) days from the date of this notice.

Dated: October 27, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-10962; Filed, October 28, 1942;
11:25 a. m.]

DEPARTMENT OF COMMERCE.

[Order No. 250]

CLOTHING, UNIFORMS, GARMENTS, ETC.

SPECIAL INVESTIGATIONS

Special investigations of men's, youths', and boys' clothing and uniforms; cotton, leather and allied garments and uniforms; and underwear, knit cloth, and knit fabric gloves.

Pursuant to the provisions of section 1401 of the Second War Powers Act, 1942, approved March 27, 1942, (Public 507—77th Congress; 56 Stat. 186, 50 U.S.C. Appendix 644) and the directions and regulations of the President contained in Executive Order 9152, dated April 29, 1942, (7 F.R. 3257), it is hereby ordered that the following special investigations be made of:

1. Men's, Youths', and Boys' Clothing and uniforms, as set forth in the Bureau of Census Schedule Form 125-31.¹
2. Cotton, Leather and Allied Garments and Uniforms, as set forth in the Bureau of Census Schedule Form 125-33.¹
3. Underwear, Knit Cloth, and Knit Fabric Gloves, as set forth in the Bureau of Census Schedule Form 125-37.¹

These investigations, which are deemed by me to be needed in connection with the conduct of the War, shall be conducted by the Director of the Census, and he is directed to secure the information provided for in said schedule forms in the form and manner and within the

¹ Filed as part of the original document.

time as set forth therein or any extension thereof.

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.
OCTOBER 27, 1942.

[F. R. Doc. 42-10935; Filed, October 27, 1942;
4:48 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO A. MILDERS SONS

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective October 29, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

A. Milder's Sons, 116 W. 10th St., Anniston, Alabama; Repair used clothing and repair salvaged shoes; 5 learners; 240 hours for any one learner; Machine operator; October 29, 1943, 30 cents for any one learner.

Signed at New York, N. Y., this 27th day of October, 1942.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 42-10942; Filed, October 23, 1942;
10:07 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under

section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3531).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4208).

Glove Findings and Determination of February 29, 1940, as amended by Administrative Order of September 29, 1940 (5 F.R. 3743).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3323).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3332).

Millinery Learner Regulations, Custom Made and Popular Priced, August 23, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective October 29, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Royal Garment Co., North Main St., Ansonia, Ohio; Ladies' burial dresses and men's burial suits; 5 learners (T); October 29, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Beautee-Fit Co., Inc., 860 South Los Angeles St., Los Angeles, California; Brassieres; 10 learners (T); October 29, 1943.

Biherman Bros., Inc., 15th & Mt. Vernon Sts., Philadelphia, Pennsylvania; Ladies' dresses; 10 percent (T); October 29, 1943.

Cal-Made Mfg. Co., 303 East 9th St., Los Angeles, California; Men's sport shirts; 3 learners (T); October 29, 1943.

Delaware Garment Co., 400 French St., Wilmington, Delaware; Ladies' blouses and dresses; 10 learners (T); October 29, 1943.

Duke of Hollywood, 212 East 8th St., Los Angeles, California; Men's sport shirts; 10 learners (T); October 29, 1943.

Duquesne Mfg. Co., 852 Stanton Ave., New Kensington, Pennsylvania; Hoovers, zipper dresses, canteen cases, uniforms; 10 learners (T); October 29, 1943. (This certificate replaces the one bearing the expiration date of March 30, 1943).

Freedman Roedelheim Co., Apple St., Quakertown, Pennsylvania; Shirts; 10 percent (T); October 29, 1943.

Grant Apparel Mfg. Co., 1240 South Main St., Los Angeles, California; Ladies' blouses, shirts, slack suits, sport shirts, jackets, playsuits; 10 percent (T); October 29, 1943.

Jacobs, Grossman & Rosenberg, Inc., Erie Ave. & E St., Philadelphia, Pennsylvania; Infants' & children's cotton dresses and blouses; 10 percent (T); October 29, 1943.

Kops Brothers, Inc., 101 St. & Rockaway Blvd., Ozone Park, Long Island, New York; Corsets, combinations, brassieres; 10 percent (T); October 29, 1943.

L. A. Neckwear Mfg. Co. & Cameraland Sportswear, 719 South Los Angeles St., Los Angeles, California; Men's & boys' sport shirts & men's neckwear; 5 learners (T); October 29, 1943.

S. Liebovitz & Sons, Inc., 1001 Donoughe St., Gallitzin, Pennsylvania; Shirt makers; 10 percent (T); October 29, 1943.

N. & B. Mfg. Co., Inc., 15 Taylor Ave., Bethel, Connecticut; Men's uniforms for army dresses; 10 percent (T); October 29, 1943.

The O. C. Mfg. Co., 5 Center Ave., Little Falls, New Jersey; Elastic web athletic supporters; 2 learners (T); October 29, 1943.

Salant & Salant, Inc., Pine St., Lexington, Tennessee; Cotton work shirts; 10 percent (T); October 29, 1943.

Salant & Salant, Inc., Washington St., Paris, Tennessee; Cotton work shirts; 10 percent (T); October 29, 1943.

Salant & Salant, Inc., First St., Lawrenceburg, Tennessee; Cotton work shirts; 10 percent (T); October 29, 1943.

Tailor Maid Blouses, 127 East 9th St., Los Angeles, California; Ladies' blouses; 10 percent (T); October 29, 1943.

Teltz Brothers, 7 First Ave., Raritan, New Jersey; Trousers; 8 learners (T); October 29, 1943.

Weiss Shirt Co., 520 Lehman St., Lebanon, Pennsylvania; Men's shirts; 10 percent (T); October 29, 1943.

Glove Industry

Clark Brothers, 20 Elm St., Glens Falls, New York; Knit fabric gloves; 5 percent (T); October 29, 1943.

Keller Glove Mfg. Co., Plumsteadville, Pennsylvania; Work gloves; 5 learners (T); October 29, 1943.

Hosiery Industry

Blackstone Hosiery Mills, Inc., Valdese, North Carolina; Seamless hosiery; 5 percent (T); October 29, 1943.

Cleveland Hosiery Mills, Inc., 208 Central Ave., Cleveland, Tennessee; Seamless hosiery; 5 learners (T); October 29, 1943.

Mrs. C. H. Cowan, 35 Branford Place, Newark, New Jersey; Repairing seamless

and full-fashioned hosiery; 2 learners (T); October 29, 1943.

McAllester Hosiery Mills, Inc., 45th St., Chattanooga, Tennessee; Seamless hosiery; 5 percent (T); October 29, 1943.

Tennessee Kitting Mills, Inc., Columbia, Tennessee; Full-fashioned hosiery; 5 percent (T); October 29, 1943.

Terry Hosiery Mills, Inc., 600 S. Hamilton St., High Point, North Carolina; Seamless hosiery; 5 learners (T); October 29, 1943.

Textile Industry

Gates Paper Twine Co., Inc., Hunt's Lane, Chappaqua, New York; Mfg. paper twines, tapes, printed rope markers, paper cable filling; 3 learners (T); October 29, 1943.

J. & C. Bedspread Co., Ellijay, Georgia; Chenille punchwork bedspreads; 5 percent (T); October 29, 1943.

Signed at New York, N. Y., this 27th day of October 1942.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 42-10943; Filed, October 28, 1942; 10:07 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 801]

BRITISH OVERSEAS AIRWAYS CORPORATION

NOTICE OF HEARING

In the matter of the application of British Overseas Airways Corporation for amendment of foreign air carrier permit so as to authorize air transportation between Trinidad and Baltimore, Md.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on November 2, 1942, 2 p. m. (eastern war time) in Room 1851 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Herbert K. Bryan.

Dated: Washington, D. C., October 27, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-10956; Filed, October 28, 1942; 11:16 a. m.]

[Docket No. 778]

TEMPORARY AIR TRANSPORTATION IN CARIBBEAN AREA

NOTICE OF HEARING

In the matter of an investigation to determine the need for temporary air transportation in the Caribbean Area.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be

held on November 2, 1942, 10 a. m. (eastern war time) in Conference Room 1, Department of Commerce Auditorium, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiners William J. Madden and Ralph L. Wiser.

Dated: Washington, D. C., October 27, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-10957; Filed, October 28, 1942; 11:16 a. m.]

[Docket No. SA-74]

ACCIDENT NEAR PALM SPRINGS, CALIFORNIA

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States registry NC 16017 which occurred near Palm Springs, California, on October 23, 1942.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said Act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Wednesday, October 28, 1942, at 2:00 P. M. (PWT) in the Town House Los Angeles, California.

Dated: Washington, D. C., October 27, 1942.

[SEAL] ALLEN P. BOURDON,
Presiding Officer.

[F. R. Doc. 42-10955; Filed, October 28, 1942; 11:16 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5802]

ARKANSAS POWER & LIGHT COMPANY, ET AL.

ORDER POSTPONING HEARING

OCTOBER 24, 1942.

In the Matter of Arkansas Power & Light Company, Kansas Gas and Electric Company, Louisiana Power & Light Company, Mississippi Power & Light Company, Nebraska Power Company, Oklahoma Gas and Electric Company, Public Service Company of Oklahoma, Southwestern Gas & Electric Company, Southwestern Light & Power Company, Texas Power & Light Company.

Upon application filed October 23, 1942, on behalf of Arkansas Power & Light Company, Kansas Gas and Electric Company, Louisiana Power & Light Company, Mississippi Power & Light Company, Oklahoma Gas and Electric Company, Public Service Company of Oklahoma, Southwestern Gas & Electric Company and Texas Power & Light Company, requesting that the hearing in this proceeding heretofore ordered to be held on November 2, 1942, at 10 a. m., in Room 521, the Federal Building, Little Rock, Arkansas, be postponed; and

It appearing that: Good cause has been shown for postponement of such hearing as hereinafter provided;

It is ordered, That: The hearing in this proceeding be and the same is hereby

postponed to November 17, 1942, at the same hour and place as heretofore fixed.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-10952; Filed, October 28, 1942;
11:19 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 208]

INTERESTS OF I. G. FARBENINDUSTRIE, A. G. IN CERTAIN CONTRACTS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

Interests in contracts relating to patents, which contracts are described in Exhibit A attached hereto and made a part hereof;

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 3, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

No. 213—5

EXHIBIT A

1. All right, title and interest of I. G. Farbenindustrie, A. G., whose last known address was Frankfurt, Germany, in a contract dated March 27, 1931, between I. G. Farbenindustrie, A. G. and Pennsylvania Salt Manufacturing Company, together with all income, profits, royalties and other property heretofore accrued or which may hereafter accrue to or in favor of said I. G. Farbenindustrie, A. G. by virtue of the aforesaid contract, which contract relates to certain United States patents, including those described as follows:

| Patent No. | Date | Inventor | Title |
|------------|----------|--------------|---|
| 1,572,952 | 2-16-33 | Pieter..... | Drying calcium hypochlorite compounds. |
| 1,583,421 | 5-4-33 | Pieter..... | Producing calcium hypochlorite compounds. |
| 1,743,242 | 1-14-39 | Schultz..... | Preserving dibasic calcium hypochlorite. |
| 1,916,770 | 7-4-33 | Reitz..... | Improvement in storing qualities of calcium hypochlorite. |
| 1,919,394 | 7-25-33 | Reitz..... | Recovery of calcium hypochlorite. |
| 1,931,622 | 10-24-33 | Reitz..... | Recovery of calcium hypochlorite. |
| 1,939,256 | 8-7-34 | Reitz..... | Manufacture of bleaching powder. |
| 2,244,477 | 6-3-41 | Reitz..... | Recovery of basic calcium hypochlorite compounds. |

2. All right, title and interest of said I. G. Farbenindustrie, A. G. in a contract dated November 1, 1933, between I. G. Farbenindustrie, A. G. and Pen-Chlor, Inc., together with all income, profits, royalties and other property heretofore accrued or which may hereafter accrue to or in favor of said I. G. Farbenindustrie, A. G. by virtue of the aforesaid contract, which contract relates to certain United States patents, including those described as follows:

| Patent No. | Date | Inventor | Title |
|------------|----------|---------------|--|
| 1,895,998 | 5-19-31 | Fendt..... | Electrical inductive and resistance heating device. |
| 1,818,888 | 8-11-31 | Frank..... | Process for preparing acid-proof cementing or lining compositions. |
| 1,837,014 | 12-22-31 | Gramburg..... | Acid-proof cementing compositions and preparing same. |
| 1,867,444 | 7-12-32 | Dietz..... | Acid-proof cementing composition. |
| 1,881,180 | 10-4-32 | Frank..... | Acid-proof material and process of preparing it. |
| 1,883,675 | 10-18-32 | Frank..... | Cement powder and mortar powder. |
| 1,935,829 | 4-9-35 | Dietz..... | Acid-proof mortar for digesters. |
| 2,034,822 | 3-24-39 | Frank..... | Acid-proof self-hardening compositions. |
| 2,077,312 | 4-29-37 | Buchloh..... | Process for making. |
| 2,103,763 | 12-23-37 | Dietz..... | Acid-proof self-hardening compositions. |
| 2,208,571 | 7-23-40 | Dietz..... | Acid-proof cement mortars. |
| 2,246,353 | 4-20-41 | Dietz..... | Water glass cement powder and cement mortars produced therefrom. |
| 2,253,546 | 10-7-41 | Dietz..... | Resinous cement rapidly hardening in the cold and making same. |
| 2,259,093 | 1-6-42 | Dietz..... | Cement powders and method of producing acid-proof mortars therefrom. |
| 2,281,834 | 5-5-42 | Dietz..... | Self-hardening cement for spark plugs. |

[F. R. Doc. 42-10344; Filed, October 23, 1942; 10:40 a. m.]

[Vesting Order 225]

INTEREST OF FRIED. KRUPP, A. G., IN CERTAIN CONTRACTS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding that the property described as follows:

Interests in contracts relating to patents, which contracts are described in Exhibit A attached hereto and made a part hereof.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special

account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 9, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1. All right, title and interest, including accumulated royalties, of Fried. Krupp, A. G., of Essen, Germany, in a contract dated March 21st, 1931, between United States Steel Corporation, licensee, and Fried. Krupp, A. G., licensor, granting United States Steel Corporation a license under certain United States patents, including the following:

| Patent No. | Date | Inventor | Title |
|------------|----------|------------|--------------|
| 1,557,614 | 6/8/26 | B. Strauss | Steel alloy. |
| 1,617,334 | 2/15/27 | O. Johnson | Alloy steel. |
| 1,735,744 | 11/12/29 | A. Fry | Steel alloy. |

2. All right, title and interest, including accumulated royalties, of Fried. Krupp, A. G., of Essen, Germany, in a contract dated June 10, 1933, between Krupp Nirosta Company, Inc., and Fried. Krupp, A. G., relating to certain United States patents, including the following:

| Patent No. | Date | Inventor | Title |
|------------|---------|------------------------|---------------------------------|
| 2,200,229 | 5/7/40 | B. Strauss | Welded construction. |
| 2,186,710 | 1/9/40 | P. Schafmeister et al. | Steel alloy. |
| 2,157,625 | 1/10/40 | P. Schafmeister et al. | Article of welded construction. |

3. All right, title and interest, including accumulated royalties, of Fried. Krupp, A. G., of Essen, Germany, in a contract dated September 11th, 1934, between Krupp Nirosta Company, Inc., and Fried. Krupp, A. G., relating to certain United States patents, including the following:

| Patent No. | Date | Inventor | Title |
|------------|---------|-----------------|--|
| 2,167,000 | 5/2/39 | P. Schafmeister | Austenitic chromium nickel steel alloys. |
| 2,190,486 | 2/13/40 | P. Schafmeister | Austenitic chromium nickel steel alloy. |

All the patents listed under "1", "2" and "3" stand in the name of Krupp Nirosta Company, Inc.

[F. R. Doc. 42-10945; Filed, October 28, 1942; 10:40 a. m.]

[Vesting Order 227]

INTERESTS OF RICHARD GRUNER AND GRUNER AND SOHN IN A CERTAIN CONTRACT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Richard Gruner and Gruner and Sohn, and each of them, the last known address of both of whom was represented to the undersigned as being Itzehoe, Germany, in and to that certain contract dated September 16, 1935, between Eugene Dietzgen Company, a Delaware corporation doing business in Illinois, on the one hand, and Richard Gruner and Gruner and Sohn on the other hand, including all sums due to said Richard Gruner and Gruner and Sohn, and each of them, under said contract,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered,

liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on October 12, 1942.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10946; Filed, October 28, 1942; 10:40 a. m.]

[Vesting Order 228]

INTEREST OF ROBERT BOSCH AKTIENGESellschaft IN CERTAIN CONTRACTS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Robert Bosch Aktiengesellschaft, Stuttgart, Germany, in and to the following contracts:

(a) A contract between Robert Bosch Aktiengesellschaft and American Bosch Magneto Corporation, dated November 3, 1930, and described as "Trade Agreement",

(b) A contract between Robert Bosch Aktiengesellschaft and American Bosch Magneto Corporation, dated November 3, 1930, and described as "Sales Agreement",

(c) A contract between Robert Bosch Aktiengesellschaft and United American Bosch Corporation, dated as of January 1, 1934, and described as "Manufacturing Agreement No. 1",

(d) A contract between Robert Bosch Aktiengesellschaft and United American Bosch Corporation, dated May 22, 1931, and described as "Patent Agreement", and

(e) An informal agreement, entered into on or about November 1939 between Robert Bosch Aktiengesellschaft and American Bosch, relating, among other things, to electric windshield wipers, generators and regulators, and described as "Manufacturing Agreement No. 2",

is property within the United States owned or controlled by a national of a designated enemy country (Germany), and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admis-

sion of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on October 12, 1942.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10947; Filed, October 28, 1942;
10:40 a. m.]

[Vesting Order 236]

LEGACIES PAYABLE TO GERMAN NATIONALS
UNDER THE WILL OF MARIE VON ERLBELL,
DECEASED

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of the persons listed in Exhibit "A" hereunto attached, as their interests appear in said Exhibit, in and to certain legacies payable to them under the will of Marie von Erlbell, deceased, who at the time of her death resided at 23-19 Crescent Street, Astoria, in the County of Queens, State of New York.

is property which is in process of administration by a person (namely, Karl Kappler, Executor), acting under judicial supervision (namely), that of the Surrogate's Court of the County of Queens, State of New York), and which is payable or deliverable to, or claimed by nationals of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form

APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on October 15, 1942.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

| Name and residence | Interest |
|---|----------|
| Karl Thuerer, Altensteig o/a Nagold, Wurttemberg, Germany----- | 3/10th |
| Karl Bross, Edelweiler o/a Preutenstadt, Wurttemberg, Germany----- | 2/35th |
| Gottlieb Bross, Pfalzgrafenweiler o/a Freutenstadt, Wurttemberg, Germany----- | 2/35th |
| Karoline Zieffe, Womersberg o/a Freutenstadt, Wurttemberg, Germany----- | 2/35th |
| Wilhelm Finkberner, 3 Henstrasse, Stuttgart, Wurttemberg, Germany----- | 2/35th |
| Hans Willi Bross, Ihrlingen bei Breilsach am Rhein, Baden Europ, Germany----- | 2/105th |
| Friedrich Bross, Ihrlingen bei Breilsach am Rhein, Baden Europ, Germany----- | 2/105th |
| Marie Bross, Ihrlingen bei Breilsach am Rhein, Baden Europ, Germany----- | 2/105th |

[F. R. Doc. 42-10948; Filed, October 28, 1942;
10:41 a. m.]

[Vesting Order 249]

90.79% OF THE CAPITAL STOCK OF AMERICAN POTASH & CHEMICAL CORPORATION,
AND AN OPTION FOR THE REPURCHASE OF
5,000 SHARES THEREOF

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

(a) That the property described as follows:

474,726 shares (which constitute a substantial part, namely 89.81%, of all outstanding shares) of no par value capital stock of American Potash & Chemical Corporation, a Delaware corporation, New York, New York, which is a business enterprise within the United States, the names of the registered owners of which, and the number of shares owned by them respectively, are as follows:

| Name | Number of shares |
|---|------------------|
| Consolidated Gold Fields of South Africa, Ltd.----- | 127,723 |
| Gold Fields American Development Co., Ltd.----- | 201,531 |
| New Consolidated Gold Fields, Ltd.----- | 63,712 |
| Administratiekantoor Dilligentie----- | 75,760 |
| Total----- | 474,726 |

all of which shares are held for the benefit of Wintershall, A. G., Germany, and Salzdettfurth, A. G., Germany, and each of them,

is property of nationals, and represents control of said business enterprise which

is a national, of a designated enemy country (Germany); and

(b) That the property described as follows:

5,000 shares (constituting 0.95% of the outstanding shares) of similar stock held in the name of MacNaughten & Co. for the benefit of the Estate of August Diehn, a national of Germany,

is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Germany), and also is property which is in the process of administration by a person (namely, the Public Administrator of New York County, New York) acting under judicial supervision (namely, that of New York County Surrogate's Court, New York) and which is payable or deliverable to, or claimed by, a national of a designated enemy country (Germany); and

(c) That the property described as follows:

That certain option held by Hope Syndicate, Amsterdam, Holland, entitling it to repurchase 5,000 shares of stock held by Gold Fields American Development Co., Ltd., which option is held for the benefit of Wintershall, A. G., Germany, and Salzdettfurth, A. G., Germany, and each of them,

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Germany);

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property

Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 20, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10949; Filed, October 28, 1942;
10:41 a. m.]

[Vesting Order 251]

INTERESTS OF NIPPON MAGNESIUM METALS COMPANY, LTD. AND NIPPON CHISSO HIROYO KABUSHIKI KAISHA IN A CERTAIN CONTRACT

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Nippon Magnesium Metals Company, Ltd. and Nippon Chisso Hiroyo Kabushiki Kaisha (both of which were organized under the laws of and have their principal place of business in Japan), and of each of them, in and to that certain contract, executed under date of July 23, 1934, by and between said Nippon Magnesium Metals Company, Ltd., Nippon Chisso Hiroyo Kabushiki Kaisha and American Magnesium Metals Corporation, a Delaware corporation, and all income, profits, royalties and other property heretofore accrued or which may hereafter accrue to or in favor of said Nippon Magnesium Metals Company, Ltd. and Nippon Chisso Hiroyo Kabushiki Kaisha, and each of them, by virtue of the aforesaid contract,

is property payable or held with respect to a patent or right related thereto in which an interest is held by, and such property is itself an interest held therein by, nationals of a foreign country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 22, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10950; Filed, October 28, 1942;
10:41 a. m.]

[Vesting Order 252]

25 SHARES OF THE CAPITAL STOCK OF CENTRAL AMERICAN PLANTATIONS CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

25 shares of \$100 par value common capital stock of Central American Plantations Corporation, a Delaware corporation, New York, New York, which shares are held by Guaranty Trust Company of New York for the account of Banque Fédérale, Zurich, Switzerland, but are beneficially owned by Schlubach, Thieme and Company, whose last known address was represented to the undersigned as being Hamburg, Germany,

is property of, and represents an interest in said business enterprise which was found in Vesting Order Number 104 of August 17, 1942, to be, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined

that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on October 22, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10951; Filed, October 28, 1942;
10:41 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

[Directive No. 1]

DESIGNATION OF PRICE ADMINISTRATOR OF OFFICE OF PRICE ADMINISTRATION AS REPRESENTATIVE OF DIRECTOR OF ECONOMIC STABILIZATION TO RECEIVE NOTICES OF INCREASES IN COMMON CARRIER OR OTHER PUBLIC UTILITY RATES AND CHARGES

By virtue of the authority vested in me by Executive Order No. 9250, of October 3, 1942, and in order to effectuate the provisions of Paragraph 4 of Title VI of that Executive Order and of section 1 of the Act of October 2, 1942 (Pub. Law 729, 77th Cong.), entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes", I hereby designate the Price Administrator of the Office of Price Administration as the representative of the Director of Economic Stabilization to receive notices of increases in common carrier or other public utility rates and charges, with authority to issue appropriate regulations for the receipt of such notices and to intervene and participate in proceedings before Federal, State, and municipal authorities in connection with proposed increases in such rates and charges, subject to such directives on policy as may be issued by the Director. Nothing in this order shall be construed to limit the right of the Office of Price Administration, on its own behalf, to intervene or participate in any common carrier or other public utility proceeding or to take such other steps as it may deem appropriate with respect to common carrier or other public utility rates or charges for the purpose of effectuating the policies of the Emergency Price Control Act of 1942 (Pub. Law 421, 77th Cong.) as amended by the Act of

October 2, 1942 (Pub. Law 729, 77th Cong.).

This order shall become effective upon issuance.

Issued at Washington, D. C., this 14th day of October 1942.

JAMES F. BYRNES,

Director of Economic Stabilization.

[F. R. Doc. 42-10937; Filed, October 27, 1942; 5:13 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 15 Under MPR 147]

SCOVILL MANUFACTURING CO.

ORDER DENYING PETITION FOR EXCEPTION

Order No. 15 under Maximum Price Regulation No. 147—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets—Docket No. 3147-16.

On September 12, 1942, Scovill Manufacturing Company, Waterbury, Connecticut, filed a petition for an adjustment pursuant to § 1368.7 of Maximum Price Regulation No. 147. Due consideration has been given to the petition and an opinion in support of this Order No. 15 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The petition for adjustment of Scovill Manufacturing Company be and it hereby is denied.

(b) This Order No. 15 shall become effective October 27, 1942.

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10912; Filed, October 27, 1942; 12:15 p. m.]

[Order 26 Under RPS 6]

NEW ENGLAND DRAWN STEEL COMPANY

ORDER GRANTING EXCEPTION

Order No. 26 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-27.

On September 30, 1942, New England Drawn Steel Company, Mansfield, Massachusetts, filed a petition for an exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 26 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) New England Drawn Steel Company may sell and deliver, and agree, solicit and attempt to sell and deliver, cold finished steel bars at prices not in excess of those stated in paragraph (b), when such bars are shipped to points outside of the New England States under contracts entered into by it under allocations or directives of the War Production Board.

(b) The maximum price which may be charged by New England Drawn Steel Company on sales of cold finished bars covered by paragraph (a) above shall be the Buffalo base price on cold finished bars plus the carload freight rate on hot rolled bars from Buffalo to Mansfield, Massachusetts, f. o. b. Mansfield, Massachusetts.

(c) All prayers of the petition not herein granted are denied.

(d) This Order No. 26 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 26 shall become effective October 28, 1942.

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10911; Filed, October 27, 1942; 12:16 p. m.]

[Order 66 Under MPR 120]

RUTHBELL COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 66 Under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-117.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Ruthbell Coal Company, Kingwood, West Virginia, may sell and deliver, and any person may buy and receive the bituminous coal described in paragraph (b) (1) below at prices not in excess of the price stated therein;

(b) (1) Coals in Size Group 6 produced by Ruthbell Coal Company at its Deep Hollow Mine (Mine Index No. 47) in District No. 3, may be sold for shipment by rail at a price not to exceed \$2.60 per net ton f. o. b. the mine;

(2) With respect to deliveries of such Size Group 6 coals on and after June 24, 1942, petitioner may carry out agreements providing for the delivery of such coals at a price not exceeding the applicable maximum price and also providing for a price adjustment in accordance with the disposition of this petition;

(c) This Order No. 66 may be revoked or amended by the Price Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Order No. 66 shall become effective October 28, 1942.

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10924; Filed, October 27, 1942; 2:23 p. m.]

[Order 67 Under MPR 120]

ROSLYN-CASCADE COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 67, Under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-180.

For the reasons set forth in an Opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Roslyn-Cascade Coal Company, Eellingham, Washington, may sell and deliver, and any person may buy and receive the bituminous coal described in paragraph (b) at prices not in excess of the respective prices stated therein, for shipment by rail and for shipment by truck.

(b) Coals produced by Roslyn-Cascade Coal Company at its Roslyn Mine (Mine Index No. 29) in District 23, may be sold for shipment by rail and for shipment by truck at prices per net ton f. o. b. the mine not to exceed the following:

| Size Group: | Rail | Truck |
|-------------|------|-------|
| 2----- | 555 | 630 |
| 3----- | 545 | 620 |
| 4----- | 515 | 590 |
| 8----- | 535 | 620 |
| 10----- | 530 | 590 |
| 12----- | 500 | 555 |
| 13----- | 470 | 520 |
| 16----- | 420 | 480 |
| 19----- | 460 | 530 |
| 20----- | 460 | 505 |
| 21----- | 400 | 445 |
| 23----- | 375 | 425 |
| 24----- | 355 | 405 |
| 26----- | 340 | |

(c) This Order No. 67 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms herein.

(e) This Order No. 67 shall become effective the 28th day of October 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10925; Filed, October 27, 1942; 2:23 p. m.]

[Order 6 Under MPR 163]

UXBRIDGE WORSTED COMPANY, INC.

ORDER GRANTING ADJUSTMENT OF PRICES

Order No. 6 Under § 1410.109 of Maximum Price Regulation No. 163—Woolen and Worsted Civilian Apparel Fabrics—Docket No. 3163-4.

For the reasons set forth in the Opinion, which has been issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) That the Uxbridge Worsted Company, Inc. of Uxbridge, Massachusetts, may sell or deliver in the course of trade or business and any person may buy or receive from it in the course of trade or business that certain fabric manufactured by it known as 0160 range, (a 14-ounce weight, 60-inch wide cotton warp, reused wool filled cassimere, having fibre content of 50 percent cotton, 40 percent reused wool, 10 percent rayon) at a price of \$0.85 per yard.

(b) For the purposes of the provisions of Maximum Price Regulation No. 163, the maximum price for the aforesaid fabric known as 0160 range permitted by this Order No. 6 shall be deemed to have been determined in accordance with paragraph (a) of § 1410.102 of such regulation.

(c) This Order may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 6 shall become effective October 28, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10926; Filed, October 27, 1942;
2:29 p. m.]

[Order 10 Under MPR 188]

W. P. FULLER AND COMPANY

ORDER GRANTING ADJUSTMENT

Order 10 under § 1499.161 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket GF3-110.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price

Control Act of 1942 as amended, and Executive Order No. 9250, *It is ordered:*

(a) W. P. Fuller and Company, a California corporation, of 301 Mission Street, San Francisco, California, is hereby authorized to sell to retailers and dealers and to its own stores and such persons are authorized to buy, the products manufactured by it and more specifically described in Appendix A, attached hereto and made a part hereof, at prices not in excess of those set forth for such sales in Appendix A.

All applicable discounts, terms and conditions of sale, and other trade and freight practices, in force for W. P. Fuller and Company in March 1942, shall be maintained, unless the discontinuance or modification thereof results in a lower price.

(b) For maximum prices at which retailers and dealers may sell and deliver

the products described in Appendix A hereof see Order No. 59 under the General Maximum Price Regulation.

(c) Within twenty (20) days from the effective date of this order W. P. Fuller and Company shall advise all persons purchasing its products, described in Appendix A hereof, of the terms of this order, and shall inform them of the maximum prices fixed for each such commodity.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 10 shall become effective November 2, 1942.

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

APPENDIX A

| Material | Size | D | W | R | Cost to dlr. purchasing under \$200 manufactured goods per yr. (W price less 15/10%) | Cost to dlr. purchasing \$500 or more manufactured goods per yr. (W price less 15/10%) |
|---|-----------------------------------|----------|----------|----------|--|--|
| Pioneer aluminum enamel..... | 1s..... | \$3.35 | \$3.94 | \$5.05 | \$3.182 | \$3.014 |
| | 4s..... | .96 | 1.13 | 1.43 | .912 | .864 |
| | 8s..... | .64 | .64 | .81 | .617 | .49 |
| | 16s..... | .33 | .39 | .50 | .315 | .298 |
| | 32s..... | .20 | .24 | .34 | .194 | .184 |
| Fuller superior fresco..... | 1s..... | 1.60 | 1.76 | 2.10 | 1.421 | 1.349 |
| | 4s..... | .60 | .69 | .83 | .470 | .461 |
| | 8s..... | .31 | .36 | .50 | .291 | .275 |
| | 16s..... | .22 | .26 | .37 | .21 | .199 |
| | 2-oz. btle..... | 1.20 dz. | 1.41 dz. | .17 ca. | 1.139 | 1.079 |
| | 1-oz. btle..... | .90 dz. | 1.06 dz. | .13 ca. | .866 | .811 |
| Fuller canvas dressing..... | 1s..... | 1.35 | 1.69 | 2.25 | 1.284 | 1.210 |
| | 4s..... | .42 | .49 | .70 | .366 | .375 |
| Fuller cart acide (wood preservative)..... | Bulk..... | .65 gl. | .76 gl. | .91 gl. | .614 | .631 |
| | 6s..... | .75 gl. | .88 gl. | 1.05 gl. | .711 | .733 |
| | 1s..... | .85 | 1.00 | 1.19 | .868 | .865 |
| Concreta..... | Drs..... | 2.60 gl. | 2.94 gl. | | 2.374 | 2.249 |
| | 6s..... | 2.60 | 3.06 gl. | 3.60 gl. | 2.471 | 2.341 |
| | 1s..... | 2.70 | 3.18 | 3.65 | 2.658 | 2.433 |
| | 4s..... | .76 ca. | .89 ca. | 1.11 ca. | .719 | .681 |
| Superfine coach colors (ground in Japan) chrome green, lt., med., and dk..... | In 1 lb. cans & 5 lb. presr cans. | .71 | .84 | 1.06 | .678 | .643 |
| Fuller color I/O: | | | | | | |
| Fluid consistency..... | | | | | | |
| Bulletin blue..... | 4s..... | 1.71 | 2.01 | 2.45 | 1.623 | 1.533 |
| | 16s..... | .44 | .52 | .63 | .42 | .393 |
| Prussian blue..... | 4s..... | 1.55 | 1.82 | 2.22 | 1.47 | 1.392 |
| | 16s..... | .43 | .51 | .62 | .412 | .39 |
| Ultramarine blue..... | 4s..... | 1.47 | 1.73 | 2.11 | 1.397 | 1.323 |
| | 16s..... | .42 | .49 | .60 | .356 | .375 |
| Burnt umber..... | 1s..... | 2.92 | 3.44 | 4.24 | 2.778 | 2.632 |
| | 4s..... | .83 | .88 | 1.20 | .791 | .76 |
| | 16s..... | .25 | .29 | .36 | .234 | .223 |
| Raw umber..... | 1s..... | 2.92 | 3.44 | 4.24 | 2.778 | 2.632 |
| | 4s..... | .83 | .88 | 1.20 | .791 | .76 |
| | 16s..... | .25 | .29 | .36 | .234 | .223 |
| Chr. green, lt. med., dk..... | 1s..... | 5.16 | 6.07 | 7.38 | 4.902 | 4.644 |
| | 4s..... | 1.39 | 1.64 | 1.99 | 1.324 | 1.255 |
| | 16s..... | .36 | .42 | .62 | .339 | .321 |
| Stayfast green..... | 16s..... | 1.20 | 1.41 | 1.69 | 1.139 | 1.070 |
| Bulletin stayred..... | 4s..... | 3.11 | 3.66 | 5.01 | 2.955 | 2.80 |
| | 16s..... | .79 | .93 | 1.23 | .761 | .711 |
| Madder lake..... | 1s..... | 12.78 | 15.04 | 18.25 | 12.145 | 11.608 |
| | 4s..... | 3.31 | 3.89 | 4.73 | 3.141 | 2.976 |
| | 16s..... | .79 | .93 | 1.13 | .761 | .711 |
| Rose Lake..... | 4s..... | 2.19 | 2.63 | 3.17 | 2.083 | 1.974 |
| | 16s..... | .66 | .66 | .79 | .633 | .605 |
| Turkey red..... | 1s..... | 11.66 | 13.60 | 16.12 | 10.989 | 10.404 |
| | 4s..... | 2.99 | 3.52 | 4.27 | 2.842 | 2.693 |
| | 16s..... | .76 | .89 | 1.09 | .719 | .681 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dir. purchasing under \$500 manufactured goods per sq. ft. (W price has 12/52) | Cost to dir. purchasing \$500 or more manufactured goods per sq. ft. (W price has 12/52) |
|--|------|--------|--------|--------|---|---|
| Fuller color I/O—Continued. | | | | | | |
| Vermilion, American chr. yellow, lt., med., dk. | 16s. | \$3.45 | \$3.53 | \$3.64 | \$3.43 | \$3.45 |
| | 4s. | 1.35 | 2.29 | 2.75 | 1.84 | 1.73 |
| | 16s. | .64 | .64 | .77 | .67 | .49 |
| Golden ochre. | 1s. | 2.65 | 4.19 | 5.09 | 3.33 | 3.33 |
| | 4s. | .69 | 1.16 | 1.41 | .97 | .87 |
| | 16s. | .27 | .32 | .39 | .23 | .21 |
| Yellow ochre. | 1s. | 2.55 | 3.65 | 3.85 | 2.64 | 2.45 |
| | 4s. | .73 | .83 | 1.12 | .71 | .71 |
| | 16s. | .28 | .27 | .33 | .28 | .27 |
| Decorators' and ptvs' tbs.—40 z.: | | | | | | |
| Ivory drop black. | | .29 | .24 | .31 | .194 | .181 |
| Lampblack. | | .29 | .24 | .31 | .194 | .184 |
| Bulletin blue. | | .21 | .25 | .32 | .202 | .191 |
| Cobalt blue. | | .21 | .25 | .32 | .202 | .191 |
| Prussian blue. | | .21 | .25 | .32 | .202 | .191 |
| Stayfast blue. | | .84 | .99 | 1.25 | .759 | .737 |
| Ultramarine blue. | | .21 | .25 | .32 | .202 | .191 |
| Burnt sienna. | | .29 | .24 | .31 | .194 | .184 |
| Raw sienna. | | .29 | .24 | .31 | .194 | .184 |
| Vandyke brown. | | .29 | .24 | .31 | .194 | .184 |
| Chr. green, st., med., dk. | | .22 | .26 | .34 | .210 | .199 |
| Bulletin stayred. | | .25 | .31 | .40 | .229 | .227 |
| Madder lake. | | .34 | .40 | .51 | .322 | .305 |
| Venetian red. | | .18 | .21 | .23 | .170 | .161 |
| Vermilion, American. | | .22 | .26 | .32 | .210 | .199 |
| Green seal zinc. | | .21 | .25 | .32 | .202 | .191 |
| Flake white. | | .21 | .25 | .32 | .202 | .191 |
| Chr. yellow, lt., med., dk. | | .22 | .26 | .34 | .21 | .199 |
| Stayfast yellow. | | .47 | .55 | .71 | .444 | .421 |
| Yellow ochre. | | .18 | .21 | .23 | .17 | .161 |
| No. 2770 decorat graining compound. | 8s. | .34 | .40 | .57 | .323 | .306 |
| No. 2882 Q.D. flat white. | 1s. | 2.65 | 3.12 | 4.40 | 2.619 | 2.337 |
| | 4s. | .75 | .88 | 1.27 | .711 | .673 |
| | 8s. | .44 | .52 | .75 | .42 | .393 |
| | 16s. | .25 | .31 | .47 | .25 | .237 |
| | 32s. | .16 | .19 | .25 | .153 | .145 |
| Decorat screen enamel No. 4363 brt. green. | 4s. | .75 | .88 | 1.10 | .711 | .673 |
| | 8s. | .44 | .52 | .65 | .42 | .393 |
| | 16s. | .25 | .31 | .38 | .25 | .237 |
| No. 4362 black. | 4s. | .75 | .85 | .85 | .625 | .497 |
| | 8s. | .34 | .40 | .51 | .263 | .206 |
| | 16s. | .21 | .25 | .33 | .162 | .191 |
| No. 3610 decorat white refrigerator enamel. | 1s. | 4.60 | 4.71 | 6.09 | 3.833 | 3.663 |
| | 4s. | 1.63 | 1.27 | 1.76 | 1.626 | .672 |
| | 8s. | .69 | .71 | .75 | .673 | .513 |
| | 16s. | .34 | .40 | .50 | .323 | .206 |
| | 32s. | .20 | .24 | .30 | .174 | .184 |
| Decorat varnish stain. | 1s. | 3.15 | 3.71 | 4.95 | 2.956 | 2.833 |
| | 4s. | .91 | 1.07 | 1.42 | .874 | .819 |
| | 8s. | .52 | .61 | .85 | .473 | .477 |
| | 16s. | .32 | .38 | .52 | .297 | .291 |
| | 32s. | .19 | .22 | .32 | .178 | .163 |
| Brown japan. | 6s. | 1.65 | 1.24 | 1.69 | 1.691 | .649 |
| | 1s. | 1.15 | 1.25 | 1.75 | 1.09 | 1.633 |
| | 4s. | .41 | .45 | .62 | .353 | .257 |
| | 8s. | .27 | .32 | .41 | .233 | .215 |
| | 16s. | .20 | .24 | .31 | .174 | .184 |
| House painters' pale japan. | 6s. | 1.75 | 2.05 | 2.65 | 1.653 | 1.656 |
| | 1s. | 1.85 | 2.18 | 2.89 | 1.76 | 1.663 |
| | 4s. | .75 | .90 | .89 | .657 | .623 |
| | 8s. | .55 | .62 | .84 | .399 | .321 |
| | 16s. | .24 | .28 | .37 | .225 | .214 |
| "B" engine en. aluminum. | 4s. | .94 | 1.11 | 1.25 | .855 | .849 |
| | 8s. | .63 | .62 | .85 | .601 | .474 |
| | 16s. | .31 | .35 | .42 | .291 | .273 |
| Premier implement and truck en.: | | | | | | |
| 4690 Black. | 1s. | 2.70 | 3.18 | 4.15 | 2.453 | 2.433 |
| | 4s. | .76 | .89 | 1.24 | .719 | .631 |
| | 8s. | .44 | .52 | .72 | .42 | .393 |
| 4654 Lt. Lead Primer. | | | | | | |
| 4657 Medium Blue. | 1s. | 3.00 | 3.53 | 4.65 | 2.85 | 2.70 |
| 4681 Lt. Green. | 4s. | .83 | .93 | 1.37 | .791 | .75 |
| 4684 Blue Gray. | 8s. | .48 | .55 | .73 | .432 | .423 |
| 4691 Light Yellow. | | | | | | |
| 4693 White. | 1s. | 3.25 | 3.82 | 4.65 | 3.035 | 2.622 |
| 4660 Orange. | 4s. | .99 | 1.05 | 1.45 | .825 | .811 |
| 4682 Vermilion. | 8s. | .51 | .60 | .85 | .485 | .429 |
| No. 2330 flat white undercoat (semi- paste). | 5s. | 2.10 | 2.47 | 3.15 | 1.695 | 1.89 |
| | 1s. | 2.20 | 2.70 | 3.50 | 2.091 | 1.631 |
| No. 4350 flat white undercoat. | 5s. | 1.70 | 2.00 | 2.60 | 1.615 | 1.53 |
| | 1s. | 1.89 | 2.12 | 2.75 | 1.712 | 1.622 |
| | 4s. | .53 | .62 | .89 | .591 | .474 |
| | 8s. | .33 | .39 | .55 | .315 | .293 |
| | 16s. | .21 | .25 | .35 | .202 | .191 |
| No. 3339 flat white undercoat. | 5s. | 2.20 | 2.70 | 3.50 | 2.091 | 1.631 |
| | 1s. | 2.30 | 2.71 | 3.45 | 2.183 | 2.073 |
| No. 8209 flat white undercoat. | 5s. | 2.05 | 2.41 | 3.10 | 1.645 | 1.844 |
| No. 3692 flat ivory undercoat. | 1s. | 2.15 | 2.53 | 3.25 | 2.043 | 1.635 |
| | 4s. | .62 | .73 | 1.01 | .759 | .623 |
| | 8s. | .37 | .44 | .62 | .355 | .337 |
| | 16s. | .23 | .27 | .39 | .218 | .207 |
| No. 4410 crestoseal enamel undercoat. | 5s. | 2.60 | 2.94 | 3.75 | 2.374 | 2.249 |
| | 1s. | 2.60 | 3.05 | 3.65 | 2.471 | 2.241 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dir. purchasing under \$500 manufactured goods per yr. (W price less 15/5%) | Cost to dir. purchasing \$500 or more manufactured goods per yr. (W price less 15/10%) |
|--|-----------|--------|--------|--------|--|---|
| Fullerwear Quick Drying Floor En.: | | | | | | |
| 3426 cruise blue..... | | | | | | |
| 3427 court green..... | | | | | | |
| 3428 valencia tile..... | | | | | | |
| 3429 dover gray..... | 1s..... | \$2.70 | \$3.18 | \$3.85 | \$2.568 | \$2.433 |
| 3431 patio gray..... | 2s..... | | | | | |
| 3432 sand dune..... | 4s..... | .76 | .89 | 1.25 | .719 | .681 |
| 3433 linoleum brown..... | 8s..... | .44 | .62 | .73 | .42 | .398 |
| 3435 fawn..... | | | | | | |
| 3446 dark oak..... | | | | | | |
| 3447 indian red..... | | | | | | |
| 3454 white..... | | | | | | |
| Fuller glazing and blending liquid..... | | | | | | |
| | 5s..... | 2.65 | 3.12 | 4.00 | 2.519 | 2.387 |
| | 1s..... | 2.75 | 3.24 | 4.15 | 2.616 | 2.479 |
| | 4s..... | .81 | .95 | 1.22 | .767 | .727 |
| | 8s..... | .47 | .55 | .71 | .444 | .421 |
| Pure prepared paint, outside gloss white, regular colors..... | | | | | | |
| | 5s..... | 2.60 | 3.06 | | 2.471 | 2.341 |
| | 1s..... | 2.70 | 3.18 | 3.45 | 2.568 | 2.433 |
| | 4s..... | .76 | .89 | 1.10 | .719 | .681 |
| | 8s..... | .44 | .52 | .65 | .42 | .398 |
| 130 brilliant green..... | | | | | | |
| | 1s..... | 2.95 | 3.47 | 4.05 | 2.802 | 2.655 |
| | 4s..... | .82 | .96 | 1.20 | .775 | .734 |
| | 8s..... | .47 | .55 | .71 | .444 | .421 |
| 178 white primer..... | | | | | | |
| | 5s..... | 2.60 | 3.06 | | 2.471 | 2.341 |
| 180 buff primer..... | | | | | | |
| | 1s..... | 2.70 | 3.18 | 3.45 | 2.568 | 2.433 |
| 179 gray primer..... | | | | | | |
| | 4s..... | .76 | .89 | 1.10 | .719 | .681 |
| 180 buff primer..... | | | | | | |
| | 5s..... | 1.85 | 2.18 | 2.75 | 1.76 | 1.663 |
| Medal mixed paint outside white regular colors..... | | | | | | |
| | 1s..... | 1.95 | 2.29 | 2.85 | 1.849 | 1.752 |
| | 4s..... | .57 | .67 | .87 | .641 | .613 |
| | 8s..... | .35 | .41 | .53 | .331 | .314 |
| | 16s..... | .22 | .26 | .34 | .21 | .199 |
| 2930 brilliant green..... | | | | | | |
| | 5s..... | 2.60 | 2.95 | 2.90 | 1.838 | 1.793 |
| | 1s..... | 2.10 | 2.47 | 3.00 | 1.995 | 1.89 |
| | 4s..... | .61 | .72 | .92 | .581 | .551 |
| | 8s..... | .37 | .44 | .56 | .355 | .337 |
| | 16s..... | .23 | .27 | .35 | .218 | .207 |
| Comet cottage & bungalow pt.: | | | | | | |
| C-1V inside white..... | | | | | | |
| C-OW outside white..... | | | | | | |
| C-36 french gray..... | | | | | | |
| | 5s..... | 1.50 | 1.76 | 2.00 | 1.421 | 1.346 |
| C-30 brilliant green..... | | | | | | |
| | 1s..... | 1.60 | 1.88 | 2.10 | 1.518 | 1.433 |
| C-52 french yellow..... | | | | | | |
| | 4s..... | .48 | .56 | .70 | .462 | .423 |
| C-56 black..... | | | | | | |
| C-89 brown..... | | | | | | |
| C-77 colonial ivory..... | | | | | | |
| C-60 Nile green..... | | | | | | |
| C-63 light pearl..... | | | | | | |
| Rustic & shingle finish: | | | | | | |
| 541 white..... | | | | | | |
| | 5s..... | 2.40 | 2.82 | 3.65 | 2.277 | 2.157 |
| 542 rustic gray..... | | | | | | |
| | 1s..... | 2.50 | 2.94 | 3.75 | 2.374 | 2.249 |
| | 4s..... | .71 | .84 | 1.18 | .678 | .643 |
| 543 rustic brown, 544 tile red..... | | | | | | |
| | 5s..... | 1.85 | 2.18 | 2.90 | 1.76 | 1.663 |
| | 1s..... | 1.95 | 2.29 | 3.00 | 1.849 | 1.752 |
| | 4s..... | .67 | .67 | .94 | .641 | .613 |
| 545 brilliant red, 546 permanent green..... | | | | | | |
| | 5s..... | 2.60 | 3.06 | 4.05 | 2.471 | 2.341 |
| | 1s..... | 2.70 | 3.18 | 4.15 | 2.568 | 2.433 |
| | 4s..... | .76 | .89 | 1.25 | .719 | .681 |
| Porch and deck paint..... | | | | | | |
| | 1s..... | 2.75 | 3.24 | 3.80 | 2.616 | 2.479 |
| | 2s..... | | | | | |
| Conqueror paint and varnish remover..... | | | | | | |
| | 4s..... | .77 | .91 | 1.25 | .735 | .696 |
| | 5s..... | 1.30 | 1.53 | 1.95 | 1.235 | 1.17 |
| | 1s..... | 1.40 | 1.65 | 2.10 | 1.332 | 1.262 |
| | 2s..... | | | | | |
| | 4s..... | .47 | .55 | .68 | .444 | .421 |
| | 8s..... | .30 | .35 | .43 | .283 | .263 |
| | 16s..... | .21 | .25 | .32 | .202 | .191 |
| | 32s..... | .14 | .16 | .22 | .129 | .122 |
| 7257 paste remover..... | | | | | | |
| | 5s..... | 1.30 | 1.53 | 1.95 | 1.235 | 1.17 |
| | 1s..... | 1.40 | 1.65 | 2.10 | 1.332 | 1.262 |
| Barn and roof paint: | | | | | | |
| 2252 moss green, 2253 light green..... | | | | | | |
| | drs..... | 1.65 | 1.94 | | 1.557 | 1.484 |
| | 5s..... | 1.75 | 2.06 | 2.60 | 1.663 | 1.576 |
| | 1s..... | 1.85 | 2.18 | 2.70 | 1.76 | 1.663 |
| 2256 brick red, 2257 metallic..... | | | | | | |
| | drs..... | 1.40 | 1.65 | | 1.332 | 1.262 |
| | 5s..... | 1.60 | 1.76 | 2.25 | 1.421 | 1.346 |
| | 1s..... | 1.60 | 1.88 | 2.35 | 1.518 | 1.433 |
| Penetrating stains: | | | | | | |
| 4358 walnut, 4357 mahogany..... | | | | | | |
| | 1s..... | 2.35 | 2.76 | 3.70 | 2.229 | 2.111 |
| | 4s..... | .67 | .79 | 1.10 | .633 | .604 |
| | 8s..... | .40 | .47 | .65 | .38 | .36 |
| Pioneer shingle stain: | | | | | | |
| 15 pearl gray, 8 silver gray..... | | | | | | |
| | bbls..... | 1.35 | 1.59 | | 1.234 | 1.216 |
| | 5s..... | 1.45 | 1.71 | 2.15 | 1.381 | 1.303 |
| | 1s..... | 1.55 | 1.82 | 2.25 | 1.47 | 1.392 |
| 0 moss green..... | | | | | | |
| | bbls..... | 1.15 | 1.35 | | 1.09 | 1.033 |
| 6 light green..... | | | | | | |
| | 5s..... | 1.25 | 1.47 | 1.85 | 1.187 | 1.125 |
| 2 dark green..... | | | | | | |
| | 1s..... | 1.35 | 1.59 | 1.95 | 1.234 | 1.216 |
| 1 med. green..... | | | | | | |
| | bbls..... | 1.05 | 1.24 | | 1.001 | .949 |
| 4 red..... | | | | | | |
| | 5s..... | 1.15 | 1.35 | 1.70 | 1.09 | 1.033 |
| 5 dk brown..... | | | | | | |
| | 1s..... | 1.25 | 1.47 | 1.80 | 1.187 | 1.125 |
| Black..... | | | | | | |
| | 5s..... | 1.15 | 1.35 | 1.60 | 1.09 | 1.033 |
| S-524 traffic line lacquer thinner..... | | | | | | |
| | 1s..... | 1.25 | 1.47 | 1.75 | 1.187 | 1.125 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dir. purchasing under \$500 manufactured goods per yr. (W price less 12/19/39) | Cost to dir. purchasing \$500 or more manufactured goods per yr. (W price less 12/19/39) |
|--|-----------|--------|--------|--------|--|--|
| Traffic line paint..... | 5s..... | \$2.09 | \$2.71 | \$3.23 | \$2.153 | \$2.073 |
| | 1s..... | 2.49 | 2.82 | 3.49 | 2.277 | 2.157 |
| | 4s..... | .63 | .89 | .95 | .645 | .612 |
| Fullerspar..... | 5s..... | 3.69 | 4.79 | 5.76 | 3.765 | 3.511 |
| | 1s..... | 4.69 | 4.71 | 5.65 | 3.833 | 3.603 |
| | 2s..... | | | | | |
| | 4s..... | 1.12 | 1.32 | 1.87 | 1.065 | 1.01 |
| | 8s..... | .62 | .73 | 1.04 | .659 | .633 |
| | 16s..... | .37 | .44 | .62 | .335 | .337 |
| Flexor rubbing & polishing varnish... | 5s..... | 3.69 | 3.63 | 5.69 | 2.85 | 2.70 |
| | 1s..... | 3.10 | 3.65 | 5.15 | 2.917 | 2.792 |
| | 4s..... | .69 | 1.06 | 1.59 | .836 | .811 |
| | 8s..... | .51 | .69 | .89 | .485 | .459 |
| | 16s..... | .32 | .33 | .54 | .297 | .291 |
| Lin-Bar..... | 5s..... | 2.76 | 3.21 | 4.25 | 2.616 | 2.479 |
| | 1s..... | 2.85 | 3.35 | 4.49 | 2.705 | 2.553 |
| | 2s..... | | | | | |
| | 4s..... | .84 | .69 | 1.25 | .769 | .757 |
| | 8s..... | .43 | .35 | .75 | .452 | .423 |
| | 16s..... | .29 | .25 | .49 | .283 | .253 |
| Satinflat..... | 5s..... | 3.09 | 3.63 | 5.09 | 2.83 | 2.70 |
| | 1s..... | 3.10 | 3.63 | 5.15 | 2.917 | 2.792 |
| | 4s..... | .69 | 1.06 | 1.59 | .836 | .811 |
| | 8s..... | .51 | .69 | .89 | .485 | .459 |
| | 16s..... | .32 | .33 | .54 | .297 | .291 |
| Speedflat varnish..... | 5s..... | 3.69 | 3.63 | 5.69 | 2.85 | 2.70 |
| | 1s..... | 3.10 | 3.65 | 5.15 | 2.917 | 2.792 |
| | 4s..... | .69 | 1.06 | 1.59 | .836 | .811 |
| | 8s..... | .51 | .69 | .89 | .485 | .459 |
| | 16s..... | .32 | .33 | .54 | .297 | .291 |
| Speedite varnish..... | 5s..... | 3.69 | 3.63 | 5.69 | 2.85 | 2.70 |
| | 1s..... | 3.10 | 3.65 | 5.15 | 2.917 | 2.792 |
| | 2s..... | | | | | |
| | 4s..... | .69 | 1.06 | 1.59 | .836 | .811 |
| | 8s..... | .51 | .69 | .89 | .485 | .459 |
| | 16s..... | .32 | .33 | .54 | .297 | .291 |
| Utility finish..... | 5s..... | 2.65 | 2.41 | 3.45 | 1.615 | 1.844 |
| | 1s..... | 2.15 | 2.53 | 3.69 | 2.043 | 1.955 |
| | 4s..... | .63 | .78 | 1.12 | .63 | .597 |
| | 8s..... | .39 | .46 | .65 | .371 | .352 |
| | 16s..... | .25 | .31 | .44 | .25 | .237 |
| Mixokay varnish..... | 5s..... | 2.15 | 2.53 | 3.25 | 2.043 | 1.955 |
| | 1s..... | 2.25 | 2.65 | 3.49 | 2.14 | 2.027 |
| | 4s..... | .69 | .81 | 1.04 | .654 | .629 |
| | 8s..... | .41 | .43 | .62 | .333 | .327 |
| Namesmix..... | 5s..... | 1.85 | 2.18 | 2.69 | 1.769 | 1.663 |
| | 1s..... | 1.65 | 2.29 | 2.75 | 1.849 | 1.752 |
| No. 70C mixing size..... | 5s..... | 1.75 | 2.09 | 2.65 | 1.663 | 1.576 |
| | 1s..... | 1.85 | 2.18 | 2.69 | 1.769 | 1.663 |
| | 4s..... | .69 | .69 | .69 | .597 | .533 |
| | 8s..... | .33 | .42 | .73 | .339 | .321 |
| Fullerglo semigloss finish..... | Drs..... | 2.49 | 2.82 | | 2.277 | 2.157 |
| | 5s..... | 2.69 | 2.94 | 3.89 | 2.574 | 2.249 |
| | 1s..... | 2.69 | 3.65 | 3.99 | 2.471 | 2.241 |
| | 2s..... | | | | | |
| | 4s..... | .73 | .85 | 1.19 | .694 | .633 |
| | 8s..... | .43 | .61 | .72 | .412 | .399 |
| | 16s..... | .26 | .31 | .46 | .259 | .237 |
| 285S white stippling paste, semigloss..... | Drs..... | 2.49 | 2.82 | | 2.277 | 2.157 |
| | 5s..... | 2.69 | 2.94 | 3.89 | 2.574 | 2.249 |
| | 1s..... | 2.69 | 3.65 | 3.99 | 2.471 | 2.241 |
| | 4s..... | .73 | .85 | 1.19 | .694 | .633 |
| Ful-Gloss finish..... | Drs..... | 2.45 | 2.83 | | 2.355 | 2.263 |
| | 5s..... | 2.55 | 3.09 | 3.85 | 2.423 | 2.255 |
| | 1s..... | 2.65 | 3.12 | 4.09 | 2.519 | 2.337 |
| | 4s..... | .75 | .88 | 1.24 | .711 | .673 |
| | 8s..... | .44 | .62 | .73 | .429 | .393 |
| No. 4255 pigment wall seal..... | Drs..... | 1.75 | 2.09 | | 1.663 | 1.576 |
| | 5s..... | 1.85 | 2.18 | 2.69 | 1.769 | 1.663 |
| | 1s..... | 1.95 | 2.29 | 2.75 | 1.849 | 1.752 |
| | 4s..... | .67 | .67 | .81 | .541 | .513 |
| Stippling paste, White: 3391 flat..... | 5s..... | 1.75 | 2.09 | 2.69 | 1.663 | 1.576 |
| 4107 semigloss..... | 1s..... | 1.85 | 2.18 | 2.75 | 1.769 | 1.663 |
| Soft-Lite..... | Drs..... | 1.75 | 2.09 | | 1.663 | 1.576 |
| | 5s..... | 1.85 | 2.18 | 2.85 | 1.76 | 1.663 |
| | 1s..... | 1.95 | 2.29 | 2.95 | 1.849 | 1.752 |
| | 4s..... | .67 | .67 | .85 | .541 | .513 |
| Hi-Heat Ful-Jumina..... | 5s..... | 3.19 | 3.65 | 4.45 | 2.947 | 2.792 |
| | 1s..... | 3.29 | 3.70 | 4.69 | 3.055 | 2.876 |
| | 4s..... | 1.14 | 1.24 | 1.63 | 1.032 | 1.025 |
| | 8s..... | .67 | .79 | .93 | .633 | .604 |
| Ful-Jumina..... | 5s..... | 3.19 | 3.65 | 4.45 | 2.947 | 2.792 |
| | 1s..... | 3.29 | 3.70 | 4.69 | 3.055 | 2.876 |
| | 4s..... | 1.14 | 1.24 | 1.63 | 1.032 | 1.025 |
| | 8s..... | .67 | .79 | .93 | .633 | .604 |
| Ful-Jumina paint liquid..... | Bulk..... | 1.89 | 2.12 | | 1.712 | 1.622 |
| | 5s..... | 1.99 | 2.24 | 2.79 | 1.899 | 1.714 |
| | 1s..... | 2.09 | 2.35 | 2.95 | 1.933 | 1.753 |
| Asphalt base Ful-Jumina..... | 5s..... | 3.19 | 3.65 | 4.45 | 2.947 | 2.792 |
| | 1s..... | 3.29 | 3.70 | 4.69 | 3.055 | 2.876 |
| | 4s..... | 1.14 | 1.24 | 1.63 | 1.032 | 1.025 |
| | 8s..... | .67 | .79 | .93 | .633 | .604 |
| Asphalt base fullumina liquid..... | Bulk..... | 1.89 | 2.12 | | 1.712 | 1.622 |
| | 5s..... | 1.99 | 2.24 | 2.79 | 1.899 | 1.714 |
| | 1s..... | 2.09 | 2.35 | 2.95 | 1.933 | 1.753 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dlr. purchasing under \$500 manufactured goods per yr. (W price less 15/10%) | Cost to dlr. purchasing \$500 or more manufactured goods per yr. (W price less 15/10%) |
|--|-----------|--------|--------|--------|--|--|
| No. 5889 fullerite enamel..... | Drs..... | \$2.60 | \$3.06 | | \$2.471 | \$2.341 |
| | 6s..... | 2.70 | 3.18 | \$4.10 | 2.568 | 2.433 |
| | 1s..... | 2.80 | 3.29 | 4.25 | 2.657 | 2.517 |
| | 4s..... | .78 | .92 | 1.20 | .743 | .704 |
| | 8s..... | .45 | .53 | .67 | .428 | .405 |
| No. 5900 eggshell fullerite..... | Drs..... | 2.30 | 2.71 | | 2.188 | 2.073 |
| | 6s..... | 2.40 | 2.82 | 3.65 | 2.277 | 2.157 |
| | 1s..... | 2.50 | 2.94 | 3.80 | 2.374 | 2.249 |
| No. 5901 Fullerite enamel..... | Drs..... | 3.55 | 4.18 | | 3.375 | 3.188 |
| | 6s..... | 3.65 | 4.29 | 5.50 | 3.464 | 3.232 |
| | 1s..... | 3.75 | 4.41 | 5.65 | 3.561 | 3.374 |
| No. 5888 Fullerite primer..... | Drs..... | 2.50 | 2.94 | | 2.374 | 2.249 |
| | 6s..... | 2.60 | 3.06 | 3.95 | 2.471 | 2.341 |
| | 1s..... | 2.70 | 3.18 | 4.10 | 2.568 | 2.433 |
| No. 7211 carbonox gray..... | 1s..... | 3.15 | 3.71 | | 2.966 | 2.838 |
| No. 7212 carbonox brown..... | 1s..... | 3.00 | 3.53 | | 2.85 | 2.70 |
| No. 7208 carbonox battleship gray..... | 1s..... | 2.40 | 2.82 | | 2.277 | 2.157 |
| No. 7209 carbonox carbon, green..... | 1s..... | 2.10 | 2.47 | | 1.995 | 1.89 |
| No. 7214 carbonox black..... | 1s..... | 2.10 | 2.47 | | 1.995 | 1.89 |
| No. 7215 carbonox iron brown..... | 1s..... | 2.40 | 2.82 | | 2.277 | 2.157 |
| No. 7216 carbonox white..... | 1s..... | 2.70 | 3.18 | | 2.568 | 2.433 |
| No. 4081 red oxide zinc chromate metal primer..... | Drs..... | 2.90 | 3.41 | | 2.764 | 2.609 |
| | 6s..... | 3.00 | 3.53 | 4.45 | 2.85 | 2.70 |
| | 1s..... | 3.10 | 3.65 | 4.60 | 2.947 | 2.792 |
| No. 7747 zinc dust, zinc oxide primer..... | 6s..... | 4.70 | 5.53 | 7.10 | 4.465 | 4.23 |
| | 1s..... | 4.80 | 5.65 | 7.20 | 4.562 | 4.322 |
| No. 4200 white tank paint..... | Bbls..... | 2.55 | 3.00 | | 2.423 | 2.295 |
| | 6s..... | 2.65 | 3.12 | | 2.519 | 2.387 |
| | 1s..... | 2.75 | 3.24 | | 2.616 | 2.479 |
| Fultec industrial finishes, air drying: | | | | | | |
| 4526 Alba Gray..... | | | | | | |
| 4551 Mariposa blue..... | | | | | | |
| 4552 Cordova brown..... | | | | | | |
| 4552 Niagara green..... | | | | | | |
| 4562 Locker green..... | 1s..... | 3.60 | 4.24 | 5.05 | 3.424 | 3.244 |
| 4564 Dark green..... | 4s..... | .98 | 1.15 | 1.50 | .929 | .88 |
| 4585 Natural ivory..... | | | | | | |
| 4568 Light blue..... | | | | | | |
| 4587 Clear..... | | | | | | |
| 4590 Black..... | | | | | | |
| 4539 White..... | | | | | | |
| Fultec industrial finishes, air drying type: | | | | | | |
| 4552 Vermillion..... | 1s..... | 4.70 | 5.53 | 6.55 | 4.465 | 4.23 |
| 4555 Regal red..... | 4s..... | 1.28 | 1.48 | 1.75 | 1.195 | 1.132 |
| 4553 Chrome yellow, med..... | | | | | | |
| 4554 Raw sienna..... | | | | | | |
| 4560 Orange..... | 1s..... | 3.75 | 4.41 | 5.20 | 3.561 | 3.374 |
| 4571 Venetian red..... | 4s..... | 1.02 | 1.20 | 1.60 | .969 | .918 |
| 4573 Burnt umber..... | 8s..... | .57 | .67 | .85 | .541 | .513 |
| 4574 Chrome green, lt..... | 16s..... | .33 | .39 | .50 | .315 | .298 |
| 4575 Prussian blue..... | | | | | | |
| 4591 Chrome yellow, lt..... | | | | | | |
| Fultec industrial finishes, baking: | | | | | | |
| 7153 Natural ivory..... | | | | | | |
| 7160 Orange..... | 1s..... | 3.90 | 4.59 | 5.45 | 3.706 | 3.511 |
| 7166 Chrome yellow, lt..... | 4s..... | 1.06 | 1.25 | 1.49 | 1.009 | .956 |
| 7177 Chrome yellow, med..... | | | | | | |
| 7179 White..... | | | | | | |
| 7163 Vermillion..... | 1s..... | 4.95 | 5.82 | 6.95 | 4.70 | 4.462 |
| 7180 Regal Red..... | 4s..... | 1.32 | 1.55 | 1.85 | 1.252 | 1.186 |
| 7164 Niagara green..... | | | | | | |
| 7155 Locker green..... | | | | | | |
| 7156 Dark green..... | | | | | | |
| 7167 Clear..... | | | | | | |
| 7162 Light blue..... | | | | | | |
| 7168 Venetian red..... | | | | | | |
| 7170 Burnt umber..... | 1s..... | 3.75 | 4.41 | 5.20 | 3.561 | 3.374 |
| 7171 Chrome green, lt..... | 4s..... | 1.02 | 1.20 | 1.44 | .969 | .918 |
| 7172 Prussian blue..... | | | | | | |
| 7173 Black..... | | | | | | |
| 7174 Alba gray..... | | | | | | |
| 7175 Mariposa blue..... | | | | | | |
| 7176 Cordova brown..... | | | | | | |
| 7178 Raw sienna..... | | | | | | |
| 7183 Fultec white baking primer..... | 1s..... | 8.10 | 9.65 | 4.35 | 2.947 | 2.792 |
| | 4s..... | .86 | 1.01 | 1.21 | .816 | .773 |
| Durable boat paint: | | | | | | |
| 1 Azure blue..... | | | | | | |
| 3 Mast color..... | 1s..... | 2.50 | 2.94 | 3.75 | 2.374 | 2.249 |
| 5 Lead blue..... | 4s..... | .71 | .84 | 1.10 | .678 | .643 |
| 7 White..... | | | | | | |
| 15 Marine gray..... | 1s..... | 2.30 | 2.71 | 3.45 | 2.188 | 2.073 |
| 14 Black..... | 4s..... | .66 | .78 | 1.00 | .63 | .597 |
| Durable boat paint: | | | | | | |
| 6 Brilliant green..... | 1s..... | 2.70 | 3.18 | 4.05 | 2.568 | 2.433 |
| 9 Light yellow..... | 4s..... | .76 | .89 | 1.15 | .710 | .681 |
| 10 Medium blue..... | | | | | | |
| 11 Peerless red..... | 1s..... | 3.00 | 3.53 | 4.40 | 2.85 | 2.70 |
| | 4s..... | .83 | .98 | 1.25 | .791 | .75 |
| Marine Fullerspar..... | 1s..... | 4.16 | 4.88 | 7.25 | 3.941 | 3.733 |
| | 4s..... | 1.18 | 1.38 | 2.03 | 1.083 | 1.04 |
| | 8s..... | .64 | .75 | 1.13 | .608 | .574 |
| | 16s..... | .38 | .45 | .67 | .363 | .344 |

APPENDIX A—Continued

| Material | Size | D | W | R | Cost to dir. purchasing under \$300 manufactured goods per sq. ft. (W Price less 12/7/39) | Cost to dir. purchasing \$300 or more manufactured goods per sq. ft. (W Price less 12/7/39) |
|--------------------------------------|-----------------|--------|--------|--------|---|---|
| Fuller Bottopping, 4153 red..... | 4s..... | \$1.75 | \$2.65 | \$2.95 | \$1.63 | \$1.575 |
| | 1s..... | 1.85 | 2.18 | 3.10 | 1.75 | 1.63 |
| | 4s..... | .25 | .65 | .95 | .22 | .47 |
| 4500 Green..... | 4s..... | 2.49 | 2.82 | 4.09 | 2.27 | 2.157 |
| | 1s..... | 2.59 | 2.91 | 4.15 | 2.374 | 2.249 |
| | 4s..... | .71 | .84 | 1.23 | .678 | .643 |
| No. 1901 Anti-corrosive paint..... | 10 gl. drs..... | 1.65 | 1.94 | 2.75 | 1.57 | 1.484 |
| | 4s..... | 1.65 | 1.94 | 2.75 | 1.57 | 1.484 |
| | 1s..... | 1.75 | 2.05 | 2.90 | 1.63 | 1.575 |
| No. 1902 anti-fouling paint..... | 10 gl. drs..... | 3.69 | 3.53 | 5.69 | 2.85 | 2.79 |
| | 4s..... | 3.69 | 3.53 | 5.69 | 2.85 | 2.79 |
| | 1s..... | 3.10 | 3.05 | 5.15 | 2.947 | 2.792 |
| No. 5002 Supertex..... | 10 gl. drs..... | 3.49 | 4.69 | 5.65 | 3.23 | 3.05 |
| | 4s..... | 3.49 | 4.69 | 5.65 | 3.23 | 3.05 |
| | 1s..... | 3.59 | 4.12 | 5.89 | 3.327 | 3.152 |
| Deck paint 9119 battleship gray..... | 1s..... | 2.75 | 3.21 | 3.89 | 2.615 | 2.479 |

| Material | Size | D | W | R | Cost to Dir. (W Price less 12/7/39) |
|--------------------------------------|--------------|------------|------------|------------|---|
| No. 1540—Myratec red lead..... | 4s..... | \$2.75 gl. | \$3.21 gl. | \$4.25 gl. | \$2.754 |
| | 1s..... | 2.85 | 3.35 | 4.49 | 2.843 |
| | 4s..... | .89 | .94 | 1.33 | .799 |
| No. 4224 red lead paint..... | 4s..... | 1.83 gl. | 2.12 gl. | 2.70 gl. | 1.892 |
| | 1s..... | 1.99 gl. | 2.24 gl. | 2.85 gl. | 1.994 |
| | 4s..... | 2.09 | 2.35 | 3.09 | 1.953 |
| No. 6563 Premier red lead paint..... | 4s..... | 3.33 gl. | 3.94 gl. | 4.70 gl. | 3.349 |
| | 1s..... | 3.45 | 4.05 | 4.85 | 3.451 |
| Snow White Zinc..... | 1s..... | .29 | .24 | .23 | .204 |
| No. 299 Green Seal Zinc..... | 2s..... | .23 | .27 | .33 | .23 |
| Pure American Zinc..... | 2s..... | .19 | .22 | .23 | .157 |
| Economy Paint Oil..... | Bulk..... | .75 gl. | 1.83 gl. | 1.15 gl. | .743 |
| | 4s..... | .85 gl. | 1.09 gl. | 1.29 gl. | .85 |
| | 1s..... | .85 | 1.12 | 1.45 | .932 |
| Logwood Oil..... | 4s..... | 1.85 gl. | 2.15 gl. | 2.69 gl. | 1.833 |
| | 1s..... | 1.95 | 2.29 | 2.75 | 1.947 |
| Pioneer Reinforcing Oil..... | Bulk..... | 1.09 gl. | 1.83 gl. | 1.15 gl. | 1.033 |
| | 4s..... | 1.19 gl. | 2.09 gl. | 2.29 gl. | 1.70 |
| | 1s..... | 1.89 | 2.12 | 2.35 | 1.892 |
| | 4s..... | | | | |
| No. 1118 Marine white paste..... | 100s..... | .122 | .144 | .175 | .12 |
| | 25s..... | .127 | .15 | .183 | .123 |
| | 12 1/2s..... | .13 | .153 | .183 | .13 |
| Urban paste..... | 100s..... | .122 | .121 | .143 | .103 |
| | 25s..... | .127 | .123 | .147 | .107 |
| No. 3356 White paste..... | 100s..... | .117 | .125 | .157 | .11 |
| | 25s..... | .112 | .123 | .163 | .112 |
| | 12 1/2s..... | .117 | .127 | .164 | .115 |
| No. 4550 Fultec red lead..... | 4s..... | 3.65 gl. | 4.29 gl. | 5.19 gl. | 3.647 |
| | 1s..... | 3.75 gl. | 4.41 gl. | 5.25 gl. | 3.749 |
| | 4s..... | 1.62 | 1.29 gl. | 1.44 | 1.62 |
| | 1s..... | .57 | .67 gl. | .89 | .57 |
| | 10s..... | .33 | .59 gl. | .48 | .332 |
| Weatherite asbestos roof coat..... | 4s..... | .65 gl. | .76 gl. | .91 gl. | .613 |
| | 1s..... | .75 gl. | .83 gl. | 1.05 gl. | .743 |
| | 4s..... | .85 | 1.09 gl. | 1.59 | .85 |
| | 1s..... | .59 | .75 gl. | .43 | .553 |
| Sheep marking mixture..... | 4s..... | 1.35 | 1.79 gl. | 1.95 | 1.332 |
| Fuller seal..... | 4s..... | 1.59 gl. | 1.76 gl. | 2.29 gl. | 1.476 |
| | 1s..... | 1.69 | 1.83 gl. | 2.45 gl. | 1.533 |
| Gloss oil..... | 4s..... | .69 gl. | 1.66 gl. | 1.35 gl. | .601 |
| | 1s..... | 1.09 | 1.18 | 1.59 | 1.063 |
| | 4s..... | .37 | .44 | .63 | .374 |
| Eureka Industrial Paint | | | | | |
| 2651 Light Green..... | | | | | |
| 2653 Dark Red..... | drs..... | 1.25 gl. | 1.47 gl. | 1.79 gl. | 1.25 |
| 2657 Dark Green..... | 4s..... | 1.35 gl. | 1.73 gl. | 1.89 gl. | 1.332 |
| 2660 B..... | 1s..... | 1.45 | 1.71 | 1.95 | 1.454 |
| 2661 L..... | | | | | |
| 2663 L..... | | | | | |
| 2652 Light Red..... | 1s..... | 1.85 | 2.18 | 2.55 | 1.833 |

| Material | Size | D | Painter |
|--|---------|--------|---------|
| 2914 Artisan lead, titanox and zinc paste..... | 4s..... | \$2.65 | \$3.70 |
| | 1s..... | 2.75 | 3.82 |

APPENDIX A—Continued

| Material | Size | D | W | R |
|---|----------|----------|----------|------------|
| No. 8008 plywood sealer..... | 1s..... | \$1.85 | \$2.18 | |
| | 4s..... | .50 | .69 | |
| | 8s..... | .36 | .42 | |
| Black finishing insulating varnish..... | 5s..... | 1.85 gl. | 2.18 gl. | |
| | 1s..... | 1.95 | 2.29 | |
| Clear elastic insulating varnish..... | 5s..... | 1.80 gl. | 2.12 gl. | |
| | 1s..... | 1.80 | 2.24 | |
| Light finishing insulating varnish..... | 5s..... | 1.60 gl. | 1.88 gl. | |
| | 1s..... | 1.70 | 2.00 | |
| Fuller cement paint: | | | | |
| 6301 White..... | Drs..... | 2.35 gl. | 2.76 gl. | |
| 6309 Cement Color..... | 5s..... | 2.45 gl. | 2.88 gl. | \$3.40 gl. |
| 6313 Buff..... | 1s..... | 2.55 | 3.00 | 3.55 |
| 6314 Light Cream..... | | | | |
| Medal shingle stain: | | | | |
| MSS-15 red..... | 5s..... | .95 gl. | 1.12 gl. | 1.30 gl. |
| MSS-16 brown..... | 1s..... | 1.05 | 1.24 | 1.40 |
| MSS-30 green..... | | | | |

[F. R. Doc. 42-10923; Filed, October 27, 1942; 2:27 p. m.]

[Order 1 Under MPR 225]

PORTLAND PRINTING HOUSE, INC.

ORDER GRANTING PERMISSION FOR
ADJUSTABLE PRICING

Order No. 1 under Maximum Price Regulation No. 225—Printing and Printed Paper Products—Docket No. GF3-2094.

On September 21, 1942, the Portland Printing House, Inc., 235 N. W. Park Avenue, Portland, Oregon, filed a petition for adjustment pursuant to § 1347.469 of Maximum Price Regulation No. 225. For the reasons which are set forth in an Opinion which has been issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and § 1347.461 of Maximum Price Regulation No. 225, *It is ordered:*

(a) On and after October 28, 1942, sales of single and double merchandise and customer monthly statements may be made at the applicable maximum price by petitioner to the Portland Gas and Coke Company, and the Northwestern Electric Company, subject to an agreement with the Portland Gas and Coke Company and the Northwestern Electric Company respectively to adjust prices upon deliveries made during the pendency of the petition, in accordance with the disposition thereof, and Portland Gas and Coke Company and the Northwestern Electric Company and each of them may buy upon the same terms.

(b) This Order No. 1 may be revoked or amended by the Administrator at any time, and, in any event, is to be effective only to the date upon which said petition is finally determined by the Administrator.

(c) This Order No. 1 shall become effective October 28, 1942.

Issued this 27th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10927; Filed, October 27, 1942; 2:29 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-606]

KANSAS CITY GAS COMPANY

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of October, A. D., 1942.

Kansas City Gas Company, a direct subsidiary of Cities Service Company, a registered holding company, having filed an application under the Public Utility Holding Company Act of 1935, regarding the issuance to Commerce Trust Company, Kansas City, Missouri, of a promissory note in the principal amount of \$800,000, bearing interest at the rate of 2% per annum, to be dated October 28, 1942 and to mature nine months from its date;

Said application having been filed on September 28, 1942, and notice of said filing having been given in the form and manner prescribed by Rule U-23, promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon, and the applicant having requested that the Commission advance the effective date of said application; and

The Commission deeming it appropriate that said application be considered as a declaration pursuant to section 7 of said Act and finding with respect thereto that the requirements of section 7 (c) are satisfied and that no adverse findings are necessary under section 7 (d) and the Commission further deeming it appropriate in the public interest and in the interest of investors and consumers both to permit said declaration to become effective and to advance the effective date thereof:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10958; Filed, October 28, 1942; 11:19 a. m.]

[File No. 70-592]

NATIONAL GAS & ELECTRIC CORPORATION

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of October, A. D., 1942.

National Gas & Electric Corporation, a registered holding company, having filed a declaration, and amendments thereto, pursuant to sections 7 and 12 of the Public Utility Holding Company Act of 1935 and Rule U-62 promulgated thereunder regarding the issue and sale of 448,352.545 shares of \$5 par value common stock having an aggregate par value of \$2,241,753.73 in the place of the presently outstanding 448,352.545 shares of no par common stock having an aggregate stated value of \$3,705,904.08 and the acquisition and retirement of said no par stock, thereby establishing a capital surplus for the purpose of absorbing an earned surplus deficit created by certain accounting adjustments, and regarding the solicitation of proxies in connection with the proposed recapitalization of common capital; and

Public hearings having been held on said declaration, as amended, after appropriate notice, and the Commission having examined the record and made and filed its findings and opinion based thereon;

It is ordered, That, the declaration, as amended, of National Gas & Electric Corporation, be, and the same hereby is, permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24 promulgated under said Act, and, provided further, that this Commission reserves complete freedom of action under section 11, or any other section of said Act which may be applicable, to make its own determination, or findings, in respect of the value of National Gas & Electric Corporation's investments, in any case in which definitive findings of that character may be necessary or appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10959; Filed, October 28, 1942; 11:19 a. m.]